

the Senate at 3:48 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

### SEVENTY-SECOND DAY

(Thursday, May 23, 1963)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
May 23, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 87, A bill to be entitled "An Act amending Chapter 490 of the Acts of the 47th Legislature, Page 788 of the Session Laws of the Regular Session of 1941, known as Article 1436b of the Penal Code of the State of Texas, by amending Section 3 thereof and adding a new section to be known as Section 3a providing that any person in any county of this State with more than one pound of mercury in his posses-

sion and who has not in his possession a bill of sale or other written evidence of title shall be guilty of a felony; providing penalties for violation of the terms of this Act; providing that it shall be a defense for defendant to show that he is engaged in the business of mining and processing mercury or can show that the mercury is an integral part of a tool, instrument, or device used for a beneficial purpose; providing that in any complaint, information or indictment it shall not be necessary to negative any exception, excuse, exemption or defense, and the burden of proof thereon shall be upon the defendant; and declaring an emergency."

(With amendment.)

S. B. No. 129, A bill to be entitled "An Act amending Acts 1955, 54th Legislature, Page 1292, Chapter 512, (Article 548b, Vernon's Texas Civil Statutes), pertaining to the regulation and sale of pre-need funeral merchandise and service contracts; deleting certain exemptions from the Act; making certain provisions and changes as to the character and type of contracts covered by the Act and the regulation of the same; regulating the solicitation of the designation of funeral services and merchandise desired by an individual; providing that delivery of merchandise prior to death shall not constitute performance; providing that the permit required by said Act shall be issued by the Banking Commissioner; repealing all laws in conflict herewith; and declaring an emergency."

(With amendment.)

S. B. No. 100, A bill to be entitled "An Act amending Section 4 of Chapter 42, Acts of the 56th Legislature, 2nd Called Session, 1959, to provide that Game Wardens may make arrests for the entering without consent of the owner of enclosed lands for the purpose of hunting, fishing or camping; etc., and declaring an emergency."

S. B. No. 121, A bill to be entitled "An Act amending Section 3, Section 5 and Section 15 of House Bill No. 46, Acts of the Forty-Ninth Legislature, Regular Session (codified as Articles 912a-3, 912a-5 and 912a-15, respectively, of Vernon's Civil Statutes of Texas), as heretofore amended, and amending House Bill No. 42, Acts of the Fifty-Fourth Legislature,

Regular Session (codified in part as Article 912a-31, Vernon's Civil Statutes of Texas); increasing the amount of the fee payable by perpetual care cemeteries upon the filing by them of statements of their perpetual care fund; providing for the organization of cemetery corporations whether non-profit corporations to maintain and operate public cemeteries or private corporations organized for profit, and, providing for the regulation of existing cemetery corporations organized other than under this Act; etc.; and declaring an emergency."

S. B. No. 103, A bill to be entitled "An Act repealing Article 838 of the Revised Civil Statutes of the State of Texas, 1925, as amended by Chapter 230, Acts of the 42nd Legislature, Regular Session, 1931, which requires the treasurers of certain political subdivisions to make annual reports to the Comptroller showing the condition of the Interest and Sinking Fund for the indebtedness of such subdivision; amending Article 840 of the Revised Civil Statutes of the State of Texas, 1925, to remove penalty for failure to make such report; and declaring an emergency."

S. J. R. No. 10, Proposing an Amendment to Section 51a of Article III of the Constitution of the State of Texas.

S. J. R. No. 26, Proposing an amendment to Article XVI, Section 62 of the Constitution of Texas.

(With amendment.)

S. B. No. 86, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to determine the amount of land excess to the needs of the operation of the Moody State School for Cerebral Palsied Children; to sell and convey same; and declaring an emergency."

(With amendment.)

H. C. R. No. 115, Requesting the Governor to return House Bill No. 902.

H. C. R. No. 24, Granting permission to Robert G. Storey to sue the State of Texas.

H. C. R. No. 40, Granting permission to Hattie Douglass to sue the State of Texas.

H. C. R. No. 44, Granting permis-

sion to Orene Heath McClanahan, et al, to sue the State of Texas.

H. C. R. No. 57, Requesting that the Texas Legislative Council study the statutes of this State relating to compensation of local officials.

H. C. R. No. 81, Granting permission to F. & C. Engineering Co. to sue the State of Texas.

H. C. R. No. 82, Granting permission to LeBlanc, Inc., to sue the State of Texas.

H. C. R. No. 86, Creating the Committee on State and Local Tax Policy.

H. C. R. No. 91, Granting permission to the City of Commerce to sue the State of Texas.

H. C. R. No. 93, Relative to setting aside certain space in the Capitol Building where nondenominational prayer may be held.

H. B. No. 1032, A bill to be entitled "An Act empowering and directing the Board of Control to construct an elevator in the north wing of the Capitol Building; empowering and directing the State Building Commission to allocate from the State Building Fund such moneys as may be provided in the General Appropriation Act to cover the cost of construction; and declaring an emergency."

S. C. R. No. 61, Requesting the Texas Legislative Council to study the present practices and needed programs concerning the management and preservation of essential records of the State of Texas.

S. C. R. No. 83, Requesting the return of Senate Bill No. 396.

S. C. R. No. 84, Requesting the return of Senate Bill No. 347.

S. C. R. No. 13, Granting permission to Wm. E. Goets & Sons to sue the State.

(With amendment.)

S. C. R. No. 63, Use of land for medical facilities to enhance Board for Texas State Hospitals and Special Schools.

S. C. R. No. 60, Providing for an interim joint committee to make certain study regarding the bays and inlets of the State of Texas.

S. C. R. No. 75, Granting permission to Laura E. Brennan to sue the State.

S. C. R. No. 82, Creating the Committee on State and Local Tax Policy.

H. C. R. No. 112, Paying tribute to James Newton Demaret by naming him Ambassador-at-Large for the State of Texas.

The House refused to concur in Senate amendments to House Bill No. 671 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House has appointed the following conferees: Fondren, McDonald, F., Cain, Satterwhite, Wheeler.

S. C. R. No. 23, Granting the City of Austin easements across certain strips of land for the purpose of electric transmission lines.

S. C. R. No. 56, Granting permission to Joyce P. Van Natter and her husband to sue John Sealy General Hospital and the State of Texas.

(With amendments.)

S. C. R. No. 28, Granting permission to Mrs. Maud Rabun to sue the State of Texas.

(With amendments.)

S. C. R. No. 44, Granting permission to Mrs. Arra Grisham, et al, to sue the State.

S. C. R. No. 53, Granting permission to Eldridge Jarrell to sue the State.

S. C. R. No. 71, Granting permission to Disc Jockey, Inc., to sue the State.

S. C. R. No. 57, Granting permission to Mrs. Ruth Wilhelm to sue the State.

S. C. R. No. 66, Granting Austin Bridge Company permission to sue the State.

(With amendments.)

S. C. R. No. 85, Directing the House to correct House Bill No. 264.

(With amendments.)

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk House of Representatives

### Presentation of Guests

Senator Hardeman by unanimous consent presented as guests of the Senate today Representative Tom Brown of Artesia, New Mexico, and Mr. Claude W. Brown of McCamey.

### Reports of Standing Committees

Senator Creighton submitted the following reports:

Austin, Texas,  
May 23, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 140, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Vice-Chairman.

Austin, Texas,  
May 23, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 772, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Vice-Chairman.

Senator Crump submitted the following report:

Austin, Texas,  
May 22, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 20, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CRUMP, Chairman.

Senator Moffett submitted the following report:

Austin, Texas,  
May 22, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock to which was referred H. B. No. 321, have had the same under consideration, and we are

instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

MOFFETT, Chairman.

Senator Kazen submitted the following reports:

Austin, Texas,  
May 23, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 541, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,  
May 23, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 370, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

#### Conference Committee Report on Senate Bill 132

Senator Creighton submitted the following Conference Committee Report on S. B. No. 132:

Austin, Texas,  
May 21, 1963.

Hon. Preston Smith, President of the Senate.

Hon. Byron Tunnell, Speaker of The House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill 132 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

CREIGHTON  
WORD  
KRUEGER  
MOORE

On the part of the Senate.

ALLEN  
HEFTON  
BARNES  
FONDREN

On the part of the House.

S. B. No. 132,

A BILL

To Be Entitled

An Act relating to registration of voters; amending the Election Code of the State of Texas to provide a general registration system for all voters in all elections, conditioned upon the adoption of an amendment to the Constitution of the State of Texas abolishing payment of poll tax as a prerequisite for voting and authorizing the enactment of a general registration law; providing that the county tax assessor-collector shall be the registrar of voters in each county, exempting certain persons from the requirement of registration, providing for a twenty-five cent (25¢) registration fee, providing procedures for registration and for cancellation of registration, and making other provisions to effectuate the establishment of a general registration system for all voters; further amending the Election Code of the State of Texas to provide a temporary registration system for qualifying registrants to vote for federal offices without payment of the poll tax, conditioned upon the adoption of an amendment to the Constitution of the United States abrogating payment of a poll tax as a prerequisite for voting for federal offices prior to amendment of the Constitution of the State of Texas abolishing payment of the poll tax as a prerequisite for voting; repeal inconsistent and conflicting laws; stating the effect of the Act on existing laws; providing effective dates; providing for severability; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Effective on the first day of February following the date on which Section 2 of this Act takes effect, as provided in Section 6 hereof, Section 34 of the Election Code of the State of Texas (compiled as Article 5.02 of Vernon's Texas Election Code) is amended to read as follows:

**"34. Qualification and requirements for voting.**

"Every person subject to none of the foregoing disqualifications who shall have attained the age of twenty-one years and who shall be a citizen of the United States and who shall have resided in this state one year next preceding an election and the last six months within the district or county in which such person offers to vote, and who shall have registered as a voter if required to do so, shall be deemed a qualified elector; provided that any member of the Armed Forces of the United States or component branches thereof, or in the military services of the United States, may vote only in the county in which such person resided at the time of entering such service. Any qualified elector who is over sixty years of age on the day of an election at which he offers to vote and who does not reside in a city of ten thousand or more inhabitants may vote at the election without having registered as a voter, but no other person shall be permitted to vote unless he has registered in accordance with the provisions of this Code. The provisions of this section shall apply to all elections, including general, special, and primary elections, whether held by the state, by a county, municipality or other political subdivision of the state, or by a political party."

Sec. 2. Effective upon the date provided in Section 6 of this Act and conditioned as provided in that section, the Election Code of the State of Texas is amended by adding thereto new sections numbered 41a, 42a, 43a, 43b, 44a, 44b, 45a, 46a, 47a, 48a, 49a, 50a, 51a, 52a, 53a, 54a and 55a, to read as follows:

**"41a. Registrar of voters**

"The County tax assessor-collector of each county in this state shall be the registrar of voters in that county; and as used in this Code, the term 'registrar of voters' or 'registrar' means the county tax-assessor-collector. He shall be responsible for the registration of voters, keeping of records, preparation of lists of registered voters, and such other duties incident to voter registration as are placed upon him by law. The duties here imposed on the county tax assessor-collector are in addition to his other duties imposed by law, and the expenses of his office incident to the performance of these duties shall be

borne by the county. Any of these duties, except the hearing of appeals on denial of registration and the hearing of challenges of registration, may be performed through a deputy or deputies. To assist in defraying the expense to the county for the administration of voter registration, the tax assessor-collector shall collect from each applicant for registration a fee of twenty-five cents (25¢), which shall be paid at the time of making application, but the assessor-collector shall not make any other charge against a voter for performing any other duty incident to voter registration. In all counties, regardless of whether the tax assessor-collector is compensated on a fee basis or on a salary basis, no part of the fee shall be retained by the assessor-collector. Where the assessor-collector is compensated on a fee basis, all fees collected hereunder shall be deposited in the general fund of the county, and where he is compensated on a salary basis, they shall be deposited in the officers salary fund of the county. The tax assessor-collector is authorized to administer oaths and certify thereto under the seal of his office in every case where an oath is required in complying with any portion of this Code connected with his official duties. The registration records, the applications for registration, and the duplicate registration certificates on file in the tax assessor-collector's office shall be open for public inspection at all times when the office is open.

**"42a. Persons entitled to register**

"No person who is over sixty years of age at the time of applying for registration shall be permitted to register unless he resides in a city of ten thousand or more inhabitants. Except as hereinabove stated, every person who at the time of applying for registration is in other respects a qualified elector, or who will become a qualified elector within one year from the first day of March following the date of his application for registration, shall be entitled to register as a voter of the precinct in which he resides; provided, however, that no person shall be entitled to vote at any election unless he is a qualified elector on the date of the election. The registration certificate of a person who registers before he becomes a qualified elector shall have stamped or written thereon the following: "Not entitled to vote before

.....' (date on which he will become a qualified elector to be inserted in the blank), and this notation shall also be placed opposite his name on the list of registered voters.

"43a. Annual registration; period for registration; period for which registration is effective

"Voters shall register annually. The first period for registration under this law shall begin in each county immediately upon the effective date of this law or as soon thereafter as the registrar has obtained the necessary registration certificate forms, and shall end on the thirty-first day of January following. In each year thereafter, the period for registration shall begin on the first day of October and shall end on the thirty-first day of January following. Each annual registration shall entitle the registrant, if otherwise qualified, to vote at elections held during the period of one year beginning on the first day of March following the date of registration.

"43b. Registration for first voting year

"For the purpose of voting at elections held during the voting year beginning on the first day of March immediately following the effective date of this registration law, all persons who paid poll tax or obtained an exemption certificate between the preceding first day of October and thirty-first day of January and whose names would have been placed on the list of qualified voters for the year following except for the repeal of Section 54 of this Code, shall be deemed to have registered in accordance with the requirements of this registration law, and the registrar shall include the names of such persons on the list of registered voters for the first voting year hereunder, as well as the names of persons who received registration certificates under the provisions of this registration law. The poll tax receipts and exemption certificates issued to such persons shall take the place of registration certificates for all purposes in elections held during that year. No person who has received a poll tax receipt or an exemption certificate entitling him to vote during the first voting year shall apply for a registration certificate for use during the same year, and the registrar shall not knowingly issue a registration certificate to any such person. If a

person offers to pay his poll tax after having registered as a voter, the tax collector shall accept payment and issue him a memorandum receipt but shall not issue the receipt provided for in Section 46 of this Code. During the first registration period, the tax collector shall continue to issue poll tax receipts provided for in Section 46 of this Code to all persons paying the tax who have not registered under the provisions of this registration law, but shall not issue any exemption certificates after the beginning of registration except to persons exempt on the ground of nonage or nonresidence for use during the remainder of that voting year.

"This section shall apply only to elections held during the first voting year under this registration law, and shall expire on the first day of March following the close of that voting year."

"44a. Registration of former aliens

"Notwithstanding the provisions of Section 43a of this Code prescribing the period for registration, a former alien upon becoming a naturalized citizen may register at any time thereafter for the voting year in which he became a naturalized citizen, and if naturalized during the month of February, for the ensuing voting year beginning on the first day of March thereafter, if at the time of applying for registration he is a qualified elector or will become a qualified elector before the end of the voting year for which he is registering; provided, however, that he must have registered at least four days before the day of any election at which he offers to vote. Before registering a voter under the provisions of this section, the registrar shall require the applicant for registration to present satisfactory evidence of his naturalization and of the date on which he was naturalized.

"44b. Registration of persons over 60 years of age upon removal to city of 10,000 or more inhabitants

"Notwithstanding the provisions of Section 43a of this Code, a person who is over sixty years of age at the time of applying for registration, and who did not reside in a city of ten thousand or more inhabitants at any time during the period for registration prescribed in Section 43a but who later removed to such a city, may register at any time thereafter

for the voting year in which he removed to such city, and if the removal was during the month of February, for the ensuing voting year beginning on the first day of March thereafter, if at the time of applying for registration he is a qualified elector or will become a qualified elector before the end of the voting year for which he is registering; provided, however, that he must have registered at least four days before the day of any election at which he offers to vote.

**"45a. Mode of applying for registration**

"A person may apply for registration in person or by mail. When an applicant for registration applies in person, he shall furnish the registrar the necessary information to enable the registrar to fill out the blanks in the registration certificate, and the registrar shall immediately make out and deliver a registration certificate to the applicant, if he is entitled to register. An application made by mail must be signed by the applicant and must contain all the information necessary to enable the registrar to fill out the blanks in the registration certificate. The registrar shall file and preserve all applications received by mail for a period of two years. On applications received by mail, the registrar shall mail the registration certificate to the voter for whom it is issued at his permanent address, or, if requested to do so by the applicant in writing, the registrar shall mail the certificate to such other address as the voter directs, or shall hold the certificate to be delivered to the voter in person.

"The husband, wife, father, mother, son, or daughter of a person entitled to register may act as agent for such person in applying for registration, without the necessity of written authorization therefor, may sign for the applicant when application is by mail, and may receive the registration certificate. Except as herein permitted, it shall be unlawful for any person to act as agent for another in applying for registration or in obtaining a registration certificate, and any person violating this provision shall be fined not exceeding five hundred dollars.

"It shall be unlawful for the registrar of voters knowingly to issue a registration certificate upon the application of anyone other than the person in whose name it is issued

or of someone lawfully acting as his agent, or to mail or deliver a registration certificate to any person other than the person for whom it is issued or someone lawfully acting as his agent, and any registrar or deputy registrar who violates this provision shall be fined not less than one hundred nor more than one thousand dollars, and shall be removed from office.

**"46a. Registration certificate books; form of certificate**

"Before the beginning of the period for registration each year, the registrar shall procure a sufficient number of blank registration certificate books for the county. Each original certificate form shall be bound over a duplicate copy which, when filled out, shall correspond with the original. The certificate forms shall be numbered consecutively in each county, beginning with No. 1 each year. Each form shall be headed 'Voter Registration Certificate for the Year.....' (the date to be the year of the first day of March following the registration period) and shall contain appropriate blanks for filling in the information required by Section 47a of this Code. It shall also contain a blank space for political party affiliation of the voter, to be completed as provided in Section 179a of this Code. Each certificate issued shall show the date of issuance (the date on which the application for registration was received by the registrar if different from the date of actual issuance), and shall be signed and certified by the registrar and shall bear the seal of his office. The original certificate shall be detached and delivered to the registrant to identify him in voting, and the duplicate shall be retained by the registrar. The registrar shall keep securely in a safe place the duplicates from which the original certificates have been detached, and they must remain there except when taken out for examination, which must always be done in his presence. At the expiration of two years, they shall be burned by the registrar under the direction of the county judge.

**"47a. Information required on certificate**

"Each registration certificate and its duplicate shall show the following information with respect to the person for whom it is issued: his name, date of birth, sex, race, occupation, post-office address (or if living in an incorporated city or town, his street address), the voting precinct in

which he resides, whether he is a native-born or a naturalized citizen—the state or county of his birth, the date on which he became a resident of the state, the date on which he became a resident of the county, and if residing in an incorporated city or town, the date on which he became a resident of such city or town, all of which dates shall be the date of commencement of the period of residence immediately preceding the application for registration. If the applicant is over twenty-one years of age, a statement of the year of birth shall be sufficient; if he is under twenty-one years of age, the certificate shall show the date of birth by month, day, and year. If the applicant has resided in the state for more than one year, or in the county or city for more than six months, a statement of the year in which such residence began shall be sufficient; if he has resided less than one year in the state or less than six months in the county or city, the certificate shall show by month, day, and year the date on which the residence began.

“Each applicant for registration shall furnish the foregoing information to the registrar. If the applicant is not twenty-one years of age, or has not completed the residence requirements of a qualified elector, the registrar shall place on the certificate and on the list of registered voters the notation required by Section 42a of this Code, filling in the date on which such person will become twenty-one years old, or the date on which he will have resided in the state one year and in the county six months, as the case may be.

**“48a. Correction of errors on certificates; lost certificates**

“When after issuance of a registration certificate it is discovered that an error has been made in filling out the blanks on the certificate through mistake of the registrar or through innocent mistake of the voter in supplying the information, the voter may present the certificate to the registrar for correction and the registrar shall correct the information on the original certificate and on the duplicate on file in his office. If the error has been in the election precinct of the voter's residence and the original list of registered voters has already been prepared, upon correction of the error the registrar shall place the voter's name on the supplemental list of registered voters for the precinct

in which he resides. No person shall be entitled to vote in an election precinct of which he is not a resident. If an error in the election precinct has not been corrected on the certificate at the time the voters offers to vote at an election, he may vote in the precinct of his residence, if otherwise qualified, by making and leaving with the presiding judge of the election an affidavit that he is a bona fide resident of that precinct and qualified to vote at that election, and that the error on the certificate was not caused by an intentional misrepresentation on his part; provided, however, that if the election judge is not satisfied as to his right to vote, his vote shall not be accepted unless he also complies with the provisions of this Code relating to challenge of a voter at the polling place.

“The registrar shall not reissue a certificate to replace a certificate that has been lost or misplaced, or for any other reason, and a voter whose certificate has been lost or misplaced, when offering to vote, shall be required to make an affidavit of such fact as provided elsewhere in this Code.

**“49a. Challenge of registration; appeal**

“(1) Challenge of applicant. Any person applying for registration may be challenged by the registrar or deputy taking his application or by any registered voter of the county. If after hearing and considering the challenge the officer taking the application is satisfied as to the applicant's entitlement to registration, he shall register the applicant, but if not so satisfied, he shall refuse to register the applicant. If refusal has been by a deputy registrar, the applicant may appeal to the registrar, who shall decide the challenge within seven days. When the registrar refuses to register an applicant, the applicant may appeal from the decision of the registrar to a district court of the county within thirty days after the registrar's decision, and the decision of the district court shall be final.

“(2) Challenge of registered voter. Any registered voter shall have the right to challenge the registration of any other registered voter in his county by filing with the registrar of voters a sworn statement setting out the grounds for such challenge. The registrar shall give notice to the person whose registration has been chal-



lenged, and a hearing shall be held and a ruling made thereon. Either party to the controversy may appeal from the decision of the registrar to a district court of the county of registration within thirty days after the registrar's decision, and the decision of the district court shall be final. A challenged voter may continue to vote until a final decision is made canceling his registration.

"(3) Jurisdiction of district court; trial of appeal. The district courts of this state shall have jurisdiction to hear and determine appeals from decisions of the registrar refusing an application for registration and from decisions of the registrar either canceling or refusing to cancel a registration. The trial in the district court shall be de novo. The court shall give priority to the appeal if an election is pending within sixty days.

"50a. Removal to another county or election precinct.

"If a voter, after receiving his registration certificate, removes to another county or to another election precinct in the same county, he may vote in the precinct of his new residence, if he has resided for the last twelve months in the state and for the last six months in the district or county in which he offers to vote, upon compliance with the following procedure. Not less than four days prior to any election at which he wishes to vote, he shall present his registration certificate to the registrar of the county of his new residence, or shall make affidavit of its loss, stating in such affidavit where he received the certificate, and shall on oath state in which election precinct he then resides and that he has resided in the state for the last twelve months and in the district or county for the last six months. The registrar shall thereupon add his name to the list of registered voters of the precinct of his new residence, and unless such voter has complied with this procedure and his name appears on the certified list of registered voters of the precinct of his new residence, he shall not vote. If the voter has resided in a district for six months but less than six months in the county, the registrar shall note on the list of registered voters the date on which the voter moved into the county. When offering to vote, the voter shall also present to the judge of election his registration certificate or shall make

affidavit that it has been lost, mislaid, or left at home.

"Whenever a voter changes his registration from one county to another county, the registrar of the county of his new residence shall forthwith give notice of that fact to the registrar of the county wherein the voter was formerly registered, who, upon receipt of such notice, shall cancel the former registration.

"51a. Notification of change of residence, etc.

"It shall be the duty of each registered voter to notify the registrar of a change of residence, a change of name, or of any other fact affecting his registration, and to present his registration certificate to the registrar for correction. The registrar shall make the necessary changes on the original certificate and on the duplicate certificate on file in his office, and shall show the change on the supplemental list of registered voters if the original list has already been prepared. If by virtue of the changed facts the registrant is no longer a qualified elector in the county, the registrar shall cancel the registration.

"52a. List of registered voters

"Before the first day of March each year, the registrar of voters shall prepare from the duplicate registration certificates on file in his office, a certified list of registered voters for each election precinct of the county, arranged alphabetically by the names of the voters and showing the following information for each voter: registration number, name, address, year of birth, race, sex, and occupation. The registrar shall deliver to each board, executive committee, or other authority having the duty of furnishing supplies for any general, special, or primary election to be held within the county prior to the first day of March of the following year, one set of such lists for all precincts in the county if any election which may be held by such authority is county-wide, and one set of such lists for all precincts wholly or partially within the boundaries of the particular political subdivision if all elections which may be held by such authority are less than county-wide. The registrar shall also furnish to each such authority, not less than four days prior to each election held by it, certified supplemental lists in the form herein prescribed of reg-

istered voters in each precinct whose names do not appear on the original list for such precinct, together with lists of the names of all persons whose registration has been canceled or transferred to another precinct since preparation of the original lists. The authority shall furnish to the presiding judge in each precinct the original and supplemental lists of voters in his precinct at the time it furnishes other election supplies. Prior to the opening of the polls, the presiding judge shall strike from the original list the names of persons whose registration has been canceled or transferred to another precinct.

"The registrar shall furnish without charge to each clerk having the duty of conducting absentee voting in any election the appropriate lists for use in the conduct of absentee voting for the election.

"No charge shall be made for lists furnished for use in elections held at the expense of the county or any city or other political subdivision. For each set of original and supplemental lists which the registrar is required to furnish to the executive committee of a political party for use in its primary elections, the registrar shall be permitted to charge not more than five dollars, to be paid by the party or the chairman so ordering the lists, which charge shall be in full for both the original lists and the supplemental lists. The registrar shall also furnish to the county executive committee of each political party, for any year in which such party is holding precinct conventions, one set of the original and supplemental lists for use in qualifying persons to participate in such conventions, for which the registrar shall be permitted to charge not more than five dollars.

"53a. Deputy registrar

"In each county containing a city of ten thousand or more inhabitants, other than the county seat, the registrar of voters shall have a duly authorized and sworn deputy in each such city to represent him for the purpose of accepting applications for registration and issuing registration certificates. The deputy registrar shall keep his office for such purpose at some convenient place in the city during the entire month of January of each year, and the registrar shall publish four weeks notice of the authority of the deputy and the location of the office. The registrar may have duly authorized and sworn dep-

uties for the purpose of accepting applications for registration and issuing registration certificates at such other times and places as shall in his discretion be necessary or advisable; provided, however, that no deputy shall be paid for his services except with the approval of the commissioners court.

"54a. Statement of registrations

"On or before the first day of March of each year, the registrar shall make a statement to the Secretary of State and to the county clerk showing how many registration certificates have been issued in each election precinct in the county. Such statement shall become a record of the officer to whom the statement is made.

"55a. Penalty for false registration

"Any person who wilfully makes any false statement to procure his registration as a voter or the registration of any person for whom he acts, as agent, or gives any false information in connection with such registration, shall be guilty of a felony and upon conviction shall be punished by confinement in the state penitentiary not less than one nor more than three years."

Sec. 3. Effective on the first day of February following the date on which Section 2 of this Act takes effect, as provided in Section 6 hereof, the Election Code of the State of Texas is amended by adding thereto a new section numbered 56a, to read as follows:

"56a. Construction of other laws

"Whenever, under any provision of this Code or of any other statute of this state heretofore enacted, a person is required to have paid a poll tax or secured an exemption certificate as a qualification for any purpose, such statute shall be construed to require that the person be registered as a voter in accordance with the provisions of this Code. All references to a poll tax receipt or an exemption certificate shall be construed to mean voter registration certificate, unless the context clearly requires otherwise, and all references to the list of qualified voters shall be construed to mean the list of registered voters as provided for in Section 52a of this Code."

Sec. 4. Effective on the first day of February following the date on which Section 2 of this Act takes effect, as provided in Section 6 hereof, Sec-

tions 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56 of the Election Code of the State of Texas (compiled as Articles 5.09—5.24 of Vernon's Texas Election Code) are repealed. The repeal of Section 41 of the Election Code shall not affect liability for payment of a poll tax or the continued existence and force of Article 2.01 of Title 122A, Taxation-General of the Revised Civil Statutes of Texas, 1925.

Sec. 5. All existing laws requiring the payment of a poll tax or the obtaining of a certificate of exemption from the payment thereof as a prerequisite for voting shall continue to apply to all elections held prior to the effective date of Section 4 of this Act. Thereafter, all such laws shall be of no further force to require that the tax be paid or that an exemption certificate be obtained as a prerequisite for voting, but all such laws shall be construed as provided in Section 56a of the Election Code, enacted by Section 3 of this Act.

Sec. 6. Sections 1, 2, 3, 4, and 5 of this Act shall become effective and operative as a law only upon the condition that a constitutional amendment abolishing payment of the poll tax as a prerequisite for voting and authorizing the enactment of a general registration law is proposed by the 58th Legislature and becomes a part of the Constitution of Texas. In the event such a constitutional amendment shall fail to be adopted, the aforesaid sections of this Act shall not become effective or operative in whole or in part. In the event such an amendment is adopted, Sections 2 and 5 of this Act shall become effective on the date such amendment becomes a part of the Constitution of Texas, and Sections 1, 3, and 4 shall become effective on the first day of February thereafter.

Sec. 7. This section of this Act shall become effective and operative as a law only upon the condition that the amendment to the Constitution of the United States proposed by Senate Joint Resolution No. 29 of the 87th Congress of the United States becomes a part of the Constitution of the United States prior to an amendment of the Constitution of the State of Texas abolishing payment of the poll tax as a prerequisite for voting, in which event this section shall take effect on the date of publication of the certifying statement of the Administrator of General

Servies that the amendment had become valid as a part of the Constitution of the United States. If such amendment to the Constitution of the United States is not adopted, or is adopted after the amendment of the Constitution of Texas as aforesaid, this section shall not become effective or operative in whole or in part. In the event this section becomes operative and Sections 1 through 5 of this Act also become operative, this section shall expire on the date that Sections 1, 3, and 4 of this Act take effect. Subject to the foregoing conditions, the Election Code of the State of Texas is amended by adding thereto a new section numbered Section 34a, to read as follows:

"34a. Voting for federal offices

"Subdivision 1. Qualification and requirements for voting for federal offices. Notwithstanding any other provision of this Code or of the Constitution of this state, the payment of the poll tax shall not be required as a condition for voting for United States Senator, for United States Representative (including Congressman-at-Large), or for President and Vice-President or electors for President and Vice-President of the United States, in any general, special, or primary election. To be eligible to vote for such offices, a person must be a qualified elector under the Constitution and laws of this state in all other respects. If he is not subject to payment of the poll tax, he must have obtained an exemption certificate in accordance with the provisions of this Code if he is required to hold an exemption certificate as a condition for voting generally. If he is subject to payment of the poll tax, he must have paid the tax and obtained a receipt therefor prior to the first day of February preceding the election; or he must have obtained a poll tax receipt without payment of the tax, in the manner and within the time provided in Subdivision 2 of this section.

"Subdivision 2. Issuance of poll tax receipts without payment of the tax. A person who is subject to payment of the poll tax and who is in other respects a qualified elector may apply to the tax collector of the county of his residence at any time between the first day of October and the thirty-first day of January following for issuance of a poll tax receipt without payment of the tax, to be used to identify him in voting for

offices enumerated in Subdivision 1 of this section during the voting year beginning on the first day of February thereafter; provided, however, that a receipt to identify the voter at elections held during the voting year in which this section takes effect may be obtained at any time within the period of thirty days after the effective date, but must have been obtained at least four days before any election at which he offers to vote; and if this section takes effect during the month of January, a receipt to identify the voter at elections held during the ensuing voting year may be obtained at any time within the period of thirty days after its effective date. The applicant shall furnish to the tax collector all the information necessary to enable the tax collector to fill out the blanks in the poll tax receipt, and the tax collector shall issue the receipt as in cases where the poll tax is paid, except that he shall place the following notation on the face of the original and duplicate receipt: 'Poll tax not paid.' The application may be made in either of the manners authorized in Section 43 of this Code, and all laws pertaining to issuance of poll tax receipts shall apply to issuance of receipts without payment of the tax insofar as they can be made applicable, except as otherwise provided in this section. At the time the tax collector makes up the lists of qualified voters, he shall make up separate lists of those persons to whom poll tax receipts have been issued without payment of the tax and shall furnish the lists to the election boards at the same time that he furnishes other lists.

Subdivision 3. Voting on receipts issued without payment of the tax. A person subject to payment of the poll tax who has obtained a receipt without payment of the tax shall not be eligible to vote at any election or on any office or proposition except at elections for the offices enumerated in Subdivision 1 of this section. When such persons offer to vote, the election officers shall enter their names on a separate poll list and shall furnish them with a ballot containing only the offices and candidates on which they are entitled to vote. When other offices or propositions are to be voted on at the same election, the election officers may provide separate ballots listing only the federal offices to be voted on, or may use the

regular ballots prepared for the election, from which all other offices and propositions have been stricken. When the ballot is to be cast on a voting machine, all other offices and propositions shall be locked out before the voter enters the machine. The returns of the election shall show, separate from other voters, the number of persons voting on poll tax receipts issued without payment of the tax."

Sec. 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, this invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 9. The necessity for enacting a law for registration of voters in sufficient time to prevent a hiatus between the present law and the new law, in the event of adoption of a constitutional amendment abolishing payment of the poll tax as a prerequisite for voting, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended; and that this Act shall take effect and be in force as hereinabove provided, and is so enacted.

The report was read.

Senator Hazlewood moved the previous question on the adoption of the Conference Committee Report on S. B. No. 132 and the motion was duly seconded.

Question—Shall the previous question now be put?

The previous question was ordered by the following vote:

#### Yeas—19

Aikin	Krueger
Blanchard	Moffett
Calhoun	Parkhouse
Colson	Ratliff
Creighton	Reagan
Dies	Richter
Hall	Strong
Hardeman	Watson
Hazlewood	Word
Herring	

#### Nays—12

Bates	Cole
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Crump  
Harrington  
Kazen  
Kennard  
Moore

Owen  
Patman  
Rogers  
Schwartz  
Spears

Question on adoption of the Conference Committee Report on S. B. No. 132, Yeas and Nays were demanded.

The Conference Committee Report on S. B. No. 132 was adopted by the following vote:

**Yeas—22**

Aikin	Krueger
Blanchard	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Hazlewood	Strong
Herring	Word

**Nays—9**

Bates	Patman
Cole	Schwartz
Harrington	Spears
Kazen	Watson
Kennard	

**House Bill 370 Ordered Not Printed**

On motion of Senator Harrington and by unanimous consent H. B. No. 370 was ordered not printed.

**Senate Concurrent Resolution 92**

Senator Strong offered the following resolution:

S. C. R. No. 92—Suspending Joint Rules to consider S. B. No. 382 at any time.

Be it resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Joint Rules of the two Houses be, and they are hereby, suspended so that either House may take up and consider Senate Bill No. 382 at any time.

The resolution was read.

On motion of Senator Strong and by unanimous consent the resolution was considered immediately and was adopted.

**House Bill 243 Ordered Not Printed**

On motion of Senator Bates and by unanimous consent, H. B. No. 243 was ordered not printed.

**Senate Resolution 599**

Senator Krueger offered the following resolution:

Whereas, The State owes a debt of gratitude to a dedicated group of Texans manning our State parks; and

Whereas, In addition to diligently serving the vacationing public with meager facilities, many park managers have distinguished themselves during crises, notably when Hurricane Carla drove many thousands from their homes to seek temporary refuge in State parks; and

Whereas, Some recognition for these patriotic people is beginning to emerge through increased appropriations for park development; and

Whereas, This belated gesture with its potential benefits cannot become effective during the tenure of some veteran park managers; now, therefore, be it

Resolved that the Senate of the State of Texas acknowledges the devotion to duty of our hard-pressed park managers.

The resolution was read and was adopted.

**Senate Resolution 600**

Senator Reagan offered the following resolution:

Whereas, One of the most important aspects of Government is Local Government, and it is important that interested citizens devote themselves to Local Government; and

Whereas, The county form of Government as established in the State of Texas is looked upon as an outstanding form of good government; and

Whereas, Seth Woods is one of these citizens who has devoted himself to local government, having been elected County Commissioner on April 17, 1916 in Willacy County, and served in that capacity until 1921 when Kenedy County was formed out of the northern portion of Willacy County, and Mr. Woods was one of the original commissioners of Kenedy County and served there until December 10, 1962; and

Whereas, He served loyally and diligently, devoting his time and energy to Willacy and Kenedy Counties for forty-six years, during which time he only missed two meetings of the Commissioners Court; and

Whereas, In addition to his service to the local government, Seth Woods served his national government during World War I, World War II and the Korean War by membership on the local Draft Board; and, therefore, be it

Resolved, That the Senate, in recognition of his long and dedicated service to his county, state and nation, extends its congratulations and appreciation to Seth Woods of Kenedy County, Texas.

The resolution was read and was adopted.

#### Senate Resolution 601

Senator Richter offered the following resolution:

Whereas, Texas, along with other States, has been increasingly aware of and concerned with the problem of "charity rackets" which harm both the public and legitimate and worthwhile charitable organizations; and

Whereas, Particularly in the State's large metropolitan centers, fund-raising activities for charitable, civic, veterans, and other similar organizations have created a ripe field for the unscrupulous promoters and racketeers; and

Whereas, Many of the unscrupulous fund-raisers are using the names of well-known and highly regarded civic, service, and veterans groups and the names of well-known and prominent citizens without their permission; and

Whereas, Business in larger cities of the State are harassed constantly by telephone solicitations, and it has been established by Better Business Bureau in some of these cities that many of these telephone solicitors are ex-convicts, alcoholics, parolees and other persons of questionable character, all masquerading as benevolent, civic-minded citizens and businessmen contributing their time and energies for the good of humanity; and

Whereas, Many other States and cities outside the State have adopted strong laws and regulations controlling this type of activity, leaving Texas a lucrative field for such operations; and

Whereas, Many thousands of dollars are literally stolen each month from donors, needy people and well-meaning organizations, since Better Business Bureau investigations have revealed that in many cases less than 10 cents of each dollar raised has ever reached the beneficiaries for whom the funds were solicited; and

Whereas, For the most part, city ordinances designed to regulate the solicitation of funds for charitable purposes have proved ineffective in dealing with this problem; and

Whereas, A number of other States and the Council of State Governments have studied this matter and have passed or recommended the passage of legislation regulating the activities of professional fund-raising organizations; and

Whereas, It appears that there is need for such action in Texas in order to protect donors, the good names of veterans, civic, and service organizations, and the interests of worthy and necessary fund-raising activities whose campaigns in Texas often fall short of their goals; now therefore be it

Resolved, By the Senate of the State of Texas, that the Texas Legislative Council be requested to study fund-raising in this State, with special attention to the activities of professional fund-raising groups and organizations; and be it further

Resolved, That the Council be requested to make a report of its findings, together with such recommendations and drafts of legislation as it deems appropriate, to the 59th Legislature.

The resolution was read and adopted.

#### Senate Resolution 602

Senator Moore offered the following resolution:

Whereas, The Federal Crop Insurance Corporation, an agency of the U. S. Department of Agriculture, is currently observing its 25th anniversary; and

Whereas, The principal of Federal crop insurance was first advanced by Benjamin Franklin in the pioneer days of Early America and was enacted into law by Act of Congress in 1938, and thus made available to farmers a non-profit insurance program to cover their approximate in-

vestment against all causes of crop loss; and

Whereas, Crop insurance participation in Texas has increased over 100 per cent in the last two years, with nearly 12,000 Texas farmers carrying some \$30,000,000 in Federal crop insurance protection; and

Whereas, On this special occasion, it is the desire of the Senate of the 58th Legislature of the State of Texas to pay tribute to the Federal Crop Insurance Corporation and its participating farmers; now, therefore, be it

Resolved, That the Senate extend congratulations to all Texas farmers on their participation in this vital program which not only gives them the means to survive crop disaster and continue in business, but also protects their communities against severe economic loss in the event of total crop failure.

The resolution was read and was adopted.

#### Senate Concurrent Resolution 66 With House Amendments

Senator Herring called S. C. R. No. 66 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate and the House amendments were read.

Senator Herring moved that the Senate concur in the House amendments.

The motion prevailed.

#### Senate Concurrent Resolution 93

Senator Word offered the following resolution:

S. C. R. No. 93—Suspending Joint Rules to consider H. B. No. 592 or S. B. No. 342 at any time.

Be it Resolved, By the Senate, the House of Representatives concurring, That the Joint Rules of the two Houses be, and they are hereby, suspended so that either House may take up and consider Senate Bill 342 or House Bill 592 at any time.

HALL  
WORD

The resolution was read.

On motion of Senator Word and by unanimous consent the resolution was considered immediately and was adopted.

#### House Bill 20 Ordered Not Printed

Senator Owen asked unanimous consent that H. B. No. 20 be ordered not printed.

There was objection.

Senator Owen then moved that H. B. No. 20 be ordered not printed.

Question on the motion to not print. Yeas and Nays were demanded.

H. B. No. 20 was ordered not printed by the following vote:

#### Yeas—20

Aikin	Keenard
Bates	Moffett
Calhoun	Owen
Cole	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Spears
Harrington	Watson
Kasen	Word

#### Nays—11

Blanchard	Moore
Colson	Richter
Creighton	Rogers
Hazlewood	Schwartz
Herring	Strong
Krueger	

#### Conference Committee Report on Senate Bill 317

Senator Bates submitted the following Conference Committee Report on S. B. No. 317:

Austin, Texas  
May 20, 1963

Hon. Preston Smith, President of the Senate.

Hon. Byron Tunnell, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill 317, have met and had same under consideration, and beg to report it back with the recommenda-

tion that it do pass in the form and text hereto attached.

BATES, Chairman  
HARDEMAN  
WORD  
KAZEN  
RATLIFF

On the part of the Senate

WHATLEY,  
Chairman  
SHUTT  
ADAMS  
HEATLY  
CLAYTON

On the part of the House

S. B. No. 317,

# A BILL

## To Be Entitled

An Act amending Article 1945, Revised Civil Statutes of Texas, 1925, to permit examination and copying of original instruments filed for record; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Article 1945, Revised Civil Statutes of Texas, 1925 is amended to read as follows:

"Article 1945. Other dockets, indexes, etc.

"The Clerk shall keep such other dockets, books and indexes as may be required by law; and all books, records and filed papers belonging to the office of County Clerks, as well as all original instruments that have been filed for record (such as deeds, deeds of trust, mortgages, maps and plats, mechanics' and materialmen's liens, contracts and all such like items) shall at all reasonable times be open to the inspection and examination of any citizen, who shall have the right to make copies of the same, provided, however, that nothing herein shall authorize interference in the normal and regular operations of County Clerks in recording and indexing said original instruments; provided, further, that in any county having a population of 1,200,000 or more according to last Federal Census, where any abstract or title company or companies make their daily take off by photography such original instruments shall be made available by the County Clerk after recording, to such company or companies, for the purpose of photographing such instruments, in the same sequence in

which they were recorded, prior to returning such instruments to their owners, which instruments must not be retained by the title or abstract company for more than twenty-four hours. Nothing herein shall authorize the removal of any instrument from the office of the County Clerk."

Sec. 2. The need for citizens to inspect and copy original instruments filed for record and the crowded condition of the calendar creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended; and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read.

Question on adoption of the Conference Committee Report on S. B. No. 317, Yeas and Nays were demanded.

The report failed of adoption by the following vote:

## Yeas—11

Bates	Owen
Creighton	Parkhouse
Hardeman	Ratliff
Harrington	Watson
Kazen	Word
Moffett	

## Nays—18

Aikin	Krueger
Calhoun	Moore
Colson	Patman
Crump	Reagan
Dies	Richter
Hall	Rogers
Hazlewood	Schwartz
Herring	Spears
Kennard	Strong

## Absent

Blanchard	Cole
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## Senate Concurrent Resolution 94

Senator Watson offered the following resolution:

S. C. R. No. 94, Suspending Joint Rules to consider S. B. No. 490 at any time.

Be it Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Joint Rules of the two Houses be,



and they are hereby, suspended so that either House may take up and consider Senate Bill No. 490 at any time.

The resolution was read.

On motion of Senator Watson and by unanimous consent, the resolution was considered immediately and was adopted.

#### Senate Bill 42 With House Amendments

Senator Watson called S. B. No. 42 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Watson moved that the Senate concur in the House amendments.

The motion prevailed.

#### Bills and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

S. B. No. 37, A bill to be entitled "An Act to provide for the reporting of medical treatment, or request therefor, of gunshot and other wounds indicating violence and providing penalties for failure to make such reports, and declaring an emergency."

S. B. No. 266, A bill to be entitled "An Act to establish depositories for Texas state documents, and declaring an emergency."

S. B. No. 281, A bill to be entitled "An Act amending Chapter 353, Acts 57th Legislature, Regular Session, 1961, by repealing Section 2a of said Act, relating to purchase of certain school lands in the City of Dodson; and declaring an emergency."

S. B. No. 294, A bill to be entitled "An Act relating to and fixing minimum and maximum salaries of the Official Shorthand Reporter for the 51st Judicial District of Texas; etc., and declaring an emergency."

S. B. No. 327, A bill to be entitled "An Act prohibiting the carrying, transporting, shooting, discharging or

hunting with a bow, crossbow, sling-shot, gun, firearms, or any other type of weapon, in, on, over, across or upon the lands of the Lower Colorado River Authority; etc., and declaring an emergency."

S. B. No. 366, A bill to be entitled "An Act providing that neither the State nor any political subdivision or agency thereof shall take official notice of any Federal Decennial Census, or any part thereof, prior to January first of the year immediately following the calendar year in which the census was taken; etc., and declaring an emergency."

S. B. No. 370, A bill to be entitled "An Act amending Section 1, Chapter 175, Acts of the 50th Legislature, Regular Session, 1947, (compiled as Article 2632c of Vernon's Texas Civil Statutes) to permit Texas Technological College to increase the acreage not to exceed five and one-half (5.5) acres of land that may be leased to the United States for an armory and the term of the lease not to exceed a period of ninety-nine (99) years; and declaring an emergency."

S. B. No. 380, A bill to be entitled "An Act to amend Subsection (c) of Article 17.5, Chapter 17, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, relating to exemptions to the tax on stores and merchantile establishments, and declaring an emergency."

S. B. No. 394, A bill to be entitled "An Act authorizing the Texas Game and Fish Commission to arrange for repairs to the Lavaca Bay Causeway Fishing Pier out of any funds that may be appropriated for that purpose; and declaring an emergency."

S. B. No. 414, A bill to be entitled "An Act amending Article 8.03 of the Texas Business Corporation Act, as amended and Article 21.43 of the Insurance Code, as amended, so as to provide that foreign corporations and foreign insurance corporations whose names are the same, or deceptively similar to, certain other corporations and insurance corporations shall be issued certificates of authorization to do business in Texas provided different names are used and assumed name certificates are filed in a certain manner; providing a severability clause; etc., and declaring an emergency."

S. B. No. 429, A bill to be entitled "An Act authorizing the Texas National Guard Armory Board to issue refunding bonds to effect a savings in interest; etc., and declaring an emergency."

S. B. No. 451, A bill to be entitled "An Act to amend Section 1, Acts 1929, Regular Session, Chap. 314, Art. 911b, Title 25, Vernon's Annotated Revised Civil Statutes of Texas, by adding a new subsection numbered "(j)" defining certain terms, and declaring an emergency."

S. B. No. 461, A bill to be entitled "An Act authorizing the Texas National Guard Armory Board to convey certain lands in Harris County, Texas, describing the manner of sale and disposition of proceeds; reserving to the State of Texas all of the oil, gas and other minerals in and under said lands or that may be produced therefrom, together with all bonuses, rents, or royalties derived therefrom; providing for the leasing of said minerals; and declaring an emergency."

S. B. No. 462, A bill to be entitled "An Act amending Article 8274 of the Revised Civil Statutes of Texas of 1925, as amended, relating to the rate of pilotage for each foot of water which the vessel at the time of piloting draws, which may be fixed under Articles 8267 and 8269 on any class of vessels in any port of the state so as to exclude the Port of Galveston in the exception, as now provided; providing a repealing clause; and declaring an emergency."

S. B. No. 463, A bill to be entitled "An Act applying to certain cities bordering upon the Gulf of Mexico; validating all acts and proceedings heretofore taken or had by any such city, or the governing body thereof; etc., and declaring an emergency."

S. B. No. 472, A bill to be entitled "An Act amending Article 8270 of the Revised Civil Statutes of Texas, 1925, relating to appointment of branch pilots, to make the article applicable to all of the ports in Galveston County and to increase the term of office of branch pilots to four years; and declaring an emergency."

S. B. No. 475, A bill to be entitled "An Act granting to the City of Texas City, Texas, in Galveston County, Texas, for Public Purposes and Par-

ticularly for and in aid of Recreation, Rest and Relaxation, Fishing, Boating, Surfing, Natatorial and Nautical Purposes, that portion of certain submerged lands, tidal flats, overflow lands and accretions formed by dredged material; and declaring an emergency."

S. B. No. 476, A bill to be entitled "An Act amending Acts 1951, 52nd Leg., Chapter 491, known as the Texas Insurance Code, by adding thereto a new Article numbered 1.26; defining credit guaranty insurance; providing for the maintenance of reserves on such insurance; and declaring an emergency."

S. B. No. 483, A bill to be entitled "An Act authorizing the District Attorney of the 27th Judicial District of Bell, Lampasas and Mills Counties, Texas, with the approval of the Commissioners Court of one or more of said counties to employ assistants, investigators and stenographers; etc., and declaring an emergency."

S. B. No. 484, A bill to be entitled "An Act relating to the salary, and fixing minimum and maximum salary limits of the official shorthand reporters for certain judicial districts; repealing conflicting laws; and declaring an emergency."

S. B. No. 486, A bill to be entitled "An Act providing for the creation of a hospital district to be known as Caprock Hospital District with boundaries coextensive with the boundaries of Commissioners' Precincts 1, 3 and 4 of Floyd County; etc., and declaring an emergency."

S. B. No. 491, A bill to be entitled "An Act to provide for issuance of a patent on certain land in Montague County; and containing an emergency clause."

S. B. No. 495, A bill to be entitled "An Act amending Section 1 of Chapter 215, Acts of the 56th Legislature, Regular Session, 1959, to increase the compensation of court reporters in all counties having a population of one million (1,000,000) or more inhabitants according to the last preceding federal census; and declaring an emergency."

S. B. No. 503, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI,

Constitution of Texas, to be known as "Bacliff Municipal Utility District of Galveston County, Texas"; its rights, powers; etc., and declaring an emergency."

S. B. No. 510, A bill to be entitled "An Act authorizing the Texas National Guard Armory Board to convey certain lands in Limestone County, Texas; etc., and declaring an emergency."

S. B. No. 511, A bill to be entitled "An Act authorizing the School Land Board to exchange certain State owned land for privately owned land, and authorizing the Land Commissioner to issue patents to private individuals covering said State owned school land; and declaring an emergency."

S. B. No. 514, A bill to be entitled "An Act repealing Article 1348, Texas Revised Civil Statutes, 1925; amending Article 1302-2.06 of the Texas Miscellaneous Corporation Laws Act; etc., and declaring an emergency."

S. B. No. 515, A bill to be entitled "An Act amending Section 7 of Chapter 514, Acts of the 54th Legislature, Regular Session, 1955 (compiled as Section 7, Article 678m of Vernon's Texas Civil Statutes) to provide the Board of Control with management and control of State Buildings including the inventory values of the sites and the buildings located thereon; and declaring an emergency."

S. B. No. 516, A bill to be entitled "An Act amending Acts 1925, 39th Leg., p. 258, Ch. 87, Sec. 1, as amended Acts 1927, 40th Leg., p. 378, ch. 255; Acts 1929, 41st Leg., p. 106, ch. 51; Acts 1932, 42nd Leg., 3rd C. S., p. 103, ch. 38; Acts 1934, 43rd Leg., 3rd C. S., p. 54, ch. 31; Acts 1939, 46th Leg., p. 148, Sec. 1; Acts 1941, 47th Leg., p. 1408, ch. 641, Sec. 1 (codified as Art. 198, R. C. S.) as last amended by H. B. 68, Acts 1963, 58th Leg., R. S.; providing for the transfer of Colorado County from the 13th Supreme Judicial District to the 1st Supreme Judicial District; and declaring an emergency."

S. B. No. 517, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Harris County Water Control and Improve-

ment District—Fondren Road; etc., declaring an emergency."

S. B. No. 520, A bill to be entitled "An Act amending Section 9 of Chapter 96, Acts of the 43rd Legislature, Regular Session, 1933 (compiled as Section 9 of Article 978k, Vernon's Texas Penal Code) to provide that a licensed game breeder may sell quail to any licensed shooting preserve operator at any time of the year; and declaring an emergency."

S. J. R. No. 21, Proposing an amendment to the Constitution of the State of Texas, amending Sections 51a and 51-b-1 of Article III so that same shall consist of one Section to be known as Section 51-a; providing that the Legislature shall have the power to provide assistance to and provide for the payment of same to (1) citizens of Texas who are needy; etc., and declaring an emergency.

#### House Bills and Resolutions on First Reading

The following bills and resolutions received from the House, were read the first time and referred to the committees indicated:

H. C. R. No. 24, To the Committee on Jurisprudence.

H. C. R. No. 40, To the Committee on Jurisprudence.

H. C. R. No. 44, To the Committee on Jurisprudence.

H. C. R. No. 115, To the Committee on Jurisprudence.

H. C. R. No. 91, To the Committee on Jurisprudence.

H. C. R. No. 82, To the Committee on Jurisprudence.

H. B. No. 1032, To the Committee on State Departments and Institutions.

H. B. No. 424, To the Committee on Counties, Cities and Towns.

H. C. R. No. 57, To the Committee on Jurisprudence.

H. C. R. No. 81, To the Committee on Jurisprudence.

#### Senate Bill 174 With House Amendments

Senator Watson called S. B. No.

174 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Watson moved that the Senate concur in the House amendments.

The motion prevailed.

#### Senate Bill 448 With House Amendments

Senator Watson called S. B. No. 448 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Watson moved that the Senate concur in the House amendments.

The motion prevailed.

#### Senate Bill 465 With House Amendments

Senator Watson called S. B. No. 465 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Watson moved that the Senate concur in the House amendments.

The motion prevailed.

#### House Bill 1018 Re-Referred

On motion of Senator Kennard and by unanimous consent, H. B. No. 1018 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Military and Veterans' Affairs.

#### Senate Joint Resolution 26 With House Amendments

Senator Harrington called S. J. R. No. 26 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution

and House amendments before the Senate, and the House amendments were read.

Senator Harrington moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

#### Nays—2

Calhoun                      Krueger

#### Reports of Standing Committees

Senator Schwartz by unanimous consent, submitted the following report:

Austin, Texas

May 23, 1963

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Military and Veterans Affairs, to whom was referred H. B. No. 1018, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SCHWARTZ, Chairman.

Senator Hardeman by unanimous consent, submitted the following reports:

Austin, Texas

May 23, 1963

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 24, have had the same under consideration, and I am instructed to report it back to the Senate with

the recommendation that it do pass and be printed.

HARDEMAN, Chairman

Austin, Texas  
May 23, 1963

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 40, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas  
May 23, 1963

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 44, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senator Crump by unanimous consent submitted the following report:

Austin, Texas  
May 23, 1963

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 664, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CRUMP, Chairman.

Senator Creighton by unanimous consent, submitted the following report:

Austin, Texas  
May 23, 1963

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 817, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Vice-Chairman.

#### House Concurrent Resolution 24 Ordered Not Printed

On motion of Senator Parkhouse, and by unanimous consent, H. C. R. No. 24 was ordered not printed.

#### House Concurrent Resolution 40 Ordered Not Printed

On motion of Senator Parkhouse, and by unanimous consent, H. C. R. No. 40 was ordered not printed.

#### House Concurrent Resolution 44 Ordered Not Printed

On motion of Senator Parkhouse, and by unanimous consent, H. C. R. No. 44 was ordered not printed.

#### Senate Concurrent Resolution 85 with House Amendments

Senator Spears called S. C. R. No. 85 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Spears moved that the Senate concur in the House amendments.

The motion prevailed.

#### Senate Concurrent Resolution 13 with House Amendments

Senator Spears called S. C. R. No. 13 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Spears moved the Senate concur in the House amendments.

The motion prevailed.

#### Senate Concurrent Resolution 56 with House Amendments

Senator Cole called S. C. R. No. 56 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Cole moved that the Senate concur in the House amendments.

The motion prevailed.

**Senate Bill 488  
with House Amendments**

Senator Cole called S. B. No. 488 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Cole moved that the Senate concur in the House amendments.

The motion prevailed.

**Senate Concurrent Resolution 28  
with House Amendments**

Senator Colson called S. C. R. No. 28 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Colson moved that the Senate concur in the House amendments.

The motion prevailed.

**Senate Resolution 604**

Senator Hardeman offered the following resolution:

Whereas, We are honored today to have with us Warren Cole, son of our esteemed colleague from Houston, the Honorable Criss Cole and Mrs. Cole; and

Whereas, it is the desire of the Senate of Texas to utilize the services of this fine young citizen, now, therefore, be it

Resolved, By the Senate of Texas that this young man be appointed as an honorary page of the Senate for today, May 23, 1963.

The resolution was read and was adopted.

**House Concurrent Resolution 112  
on Second Reading**

The President laid before the Senate on its second reading, the following resolution:

H. C. R. No. 112, Paying tribute to James Newton Demaret by naming him Ambassador-at-Large for the State of Texas.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

**House Concurrent Resolution 93  
on Second Reading**

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 93, Relative to setting aside certain space in the Capitol Building where nondenominational prayer may be held.

The resolution was read.

On motion of Senator Blanchard and by unanimous consent, the resolution was considered immediately and was adopted.

**Senate Bill 86 with  
House Amendments**

Senator Schwartz called S. B. No. 86 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Schwartz moved that the Senate concur in the House amendments.

The motion prevailed.

**Senate Bill 94 with  
House Amendments**

Senator Schwartz called S. B. No. 94 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Schwartz moved that the Senate concur in the House amendments.

The motion prevailed.

**Record of Votes**

Senators Hardeman, Owen, Aikin,

Word and Moffett asked to be recorded as voting "Nay" in the concurrence of House amendments to S. B. No. 94.

**Conference Committee Report  
on House Bill 404**

Senator Watson submitted the following Conference Committee Report on H. B. No. 404:

Austin, Texas  
May 22, 1963

Hon. Preston Smith, President of the Senate.

Hon. Byron Tunnell, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives, on H. B. No. 404, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

WATSON  
HARDEMAN  
COLSON  
WORD  
REAGAN

On the part of the Senate.

CREWS  
COWDEN  
WOODS  
FONDREN  
ROSSON

On the part of the House.

H. B. No. 404

**A BILL  
To Be Entitled**

An Act, Repealing one article of the Revised Civil Statutes of Texas, 1925; namely, Article 1299, which requires joinder of the husband and privy acknowledgement of the wife in any conveyance of the separate lands of the wife.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:**

Section 1. The following article of the Revised Civil Statutes of Texas, 1925, is hereby repealed: Article 1299, which requires joinder of the husband and privy acknowledgment of the wife in any conveyance of the separate lands of the wife.

Section 2. The importance of this legislation and the crowded condition

of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted.

**House Concurrent Resolution 40  
on Second Reading**

On motion of Senator Parkhouse, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its Second Reading:

H. C. R. No. 40, Granting permission to Hattie Douglass to sue the State of Texas.

The resolution was read and was adopted.

**House Concurrent Resolution 44  
on Second Reading**

On motion of Senator Parkhouse, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its Second Reading:

H. C. R. No. 44, Granting permission to Orene Heath McClanahan, et al., to sue the State of Texas.

The resolution was read and was adopted.

**House Concurrent Resolution 24  
on Second Reading**

On motion of Senator Parkhouse, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its Second Reading and passage:

H. C. R. No. 24, Granting permission to Robert G. Storey to sue the State of Texas.

The resolution was read and was adopted.

**Senate Resolution 605**

Senator Hardeman offered the following resolution:

Whereas, Honorable Andrew M. Howsley of Albany, Texas, a native Texan, former member of the Legis-

lature and former member of the State Parks Board is recovering from an illness; and

Whereas, following his retirement from the Legislature, he engaged in the oil business and in ranching in Shackelford County; and

Whereas, it is the desire of the Senate to extend its best wishes to Mr. Howsley for his early recovery and for his restoration to normal health; now, therefore, be it

Resolved, By the Senate of Texas that it does hereby extend its greetings to Mr. Howsley and its best wishes for his early recovery and for his restoration to normal health and that a copy of this Resolution be forwarded to Mr. Howsley by the Secretary of Senate under its official seal.

HARDEMAN  
RATLIFF  
OWEN

Signed—Preston Smith, Lieutenant Governor; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Harrington, Hazlewood, Herring, Kazen, Kennard, Krueger, Moffett, Moore, Parkhouse, Patman, Reagan, Richter, Rogers, Schwartz, Spears, Strong, Word, Watson.

The resolution was read.

On motion of Senator Parkhouse and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was then adopted.  
(Senator Aikin in the Chair.)

Senate Concurrent Resolution 95

Senator Calhoun offered the following resolution:

S. C. R. No. 95, Providing effective date for House Bill 1075.

Whereas, H. B. No. 1075 was passed with a record vote in the House and was passed in the Senate on May 21, 1963, by a viva-voce vote, and

Whereas, It is desired that said H. B. No. 1075 be immediately effective, now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that said H. B. No. 1075 be immediately effective.

The resolution was read and was adopted by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

(President in the Chair.)

House Bill 424 Re-referred

Senator Creighton asked unanimous consent that H. B. No. 424 be withdrawn from the Committee on Counties, Cities and Towns and re-referred to the Committee on Claims.

There was objection.

Senator Creighton then moved that H. B. No. 424 be withdrawn from the Committee on Counties, Cities and Towns and re-referred to the Committee on Claims.

The motion prevailed.

Committee Substitute  
House Bill 67 on Second Reading

The President laid before the Senate as pending business C. S. H. B. No. 67 (the bill having been read the second time on yesterday).

Question: Shall C. S. H. B. No. 67 be passed to third reading?

Motion to Re-refer House Bill 348

Senator Moore asked unanimous consent to withdraw House Bill 348 from the Committee on State Affairs and be re-referred to the Committee on Privileges and Elections.

There was objection.

House Bill 769 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its



second reading and passage to third reading:

H. B. No. 769, A bill to be entitled "An Act amending Article 2135 of the Revised Civil Statutes of Texas, 1925, as amended, to provide certain additional exemptions from jury service; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 769 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 769 be placed on its third reading and final passage.

The motion prevailed by the following vote.

#### Yeas—27

Aikin	Krueger
Bates	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Word
Kennard	

#### Nays—2

Rogers	Watson
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#### Absent

Blanchard	Hardeman
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The bill was read third time.

Question—Shall H. B. No. 769 be finally passed?

#### Executive Session

On motion of Senator Herring and by unanimous consent the Senate agreed to hold an Executive Session at 11:45 o'clock a.m. today.

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session, the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be a member of the Board of Directors of the Lower Colorado River Authority: To fill the unexpired term, said term to expire January 1, 1969: John W. Hancock of El Campo, Wharton County.

To be a member of the State Board of Pharmacy to fill the unexpired term of Leon L. Kahanek, deceased, term to expire June 14, 1965: Roy Wiese, Jr., of Brenham, Washington County.

To be a member of the Board of Regents of Texas Woman's University to fill the unexpired term of Harvey Wuest, deceased: Ennis Favors of Stephenville, Erath County.

#### In Legislative Session

The President called the Senate to order at 11:52 o'clock a.m.

#### Report of Standing Committee

Senator Colson by unanimous consent submitted the following report:

Austin, Texas,  
May 23, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Claims to which was referred H. B. No. 424, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

COLSON, Chairman.

#### House Bill 424 Ordered Not Printed

On motion of Senator Ratliff and by unanimous consent H. B. No. 424 was ordered not printed.

#### Recess

On motion of Senator Moffett the Senate at 12:20 o'clock p.m. took recess until 2:30 o'clock p.m. today.

#### After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

#### House Bill 769 on Final Passage

The Senate resumed consideration

of the pending business, same being H. B. No. 769 on its final passage (the bill having been read the third time this morning).

Question—Shall H. B. No. 769 be finally passed?

H. B. No. 769 was then passed.

#### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
May 23, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 487, A bill to be entitled "An Act amending Section 3 of Chapter 80, Acts of the 36th Legislature, Second Called Session, 1919 (compiled as Article 52-82 of Vernon's Texas Code of Criminal Procedure), so as to clearly enumerate the duties of the Criminal District Attorney of Tarrant County and to provide that the Commissioners Court of Tarrant County may employ special counsel of its own choice in certain instances; repealing certain laws; and declaring an emergency."

S. B. No. 136, A bill to be entitled "An Act amending the Public Weighers Law, Revised Civil Statutes 1925, to provide for the appointment of Public Weighers and Special Weighers by the Governor without said appointees first receiving the endorsement of the Senator and a majority of the Representatives from the Senatorial District where such appointees would hold such office."

(With amendments.)

S. B. No. 313, A bill to be entitled "An Act relating to the specification in election proceedings of the amount of School District Bonds which are to mature each year, amending Article 2786, Revised Civil Statutes of Texas, as amended, amending Chapter 24, Acts of the 37th Legislature, Regular Session, 1921, as amended, to provide that the petition, election, order and notice of election for the authorization of School District Bonds shall mature serially or otherwise in such installments as are fixed by the Board of Trustees if for an Independent School District, or by the Commissioners' Court if for a Com-

mon School District; and declaring an emergency."

S. B. No. 220, A bill to be entitled "An Act amending Section 8 of Chapter 245, Acts of the 51st Legislature, Regular Session, 1949 (Section 8 of Article 5221a-6, Vernon's Texas Civil Statutes), relating to fees which private employment agents or agencies may charge applicants for employment; and declaring an emergency."

(With amendments.)

S. B. No. 169, A bill to be entitled "An Act providing a formula for distribution of textbooks on the subject of Homemaking in certain grades and declaring an emergency."

S. B. No. 153, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to determine the amount of land excess to the needs of the operation of the Austin State School Annex; to sell and convey same; and declaring an emergency."

(With amendments.)

S. B. No. 189, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to convey any or all interests the College owns in the Murray Case Sells Estate and Sells Petroleum Incorporated when, in the judgment of the Board, it is expedient or necessary so to convey or otherwise dispose of any or all such interests; ratifying and confirming any conveyance heretofore made by the Board; and declaring an emergency."

S. B. No. 219, A bill to be entitled "An Act amending Chapter 351, Acts of the 49th Legislature, 1945, as amended; relating to the assessing and collecting of ad valorem taxes in municipalities and districts by adding a new section to said Chapter 351, Acts of the 49th Legislature, 1945, as amended, to be known as Section 1a, granting the authority to the municipality or district that is being rendered the tax service, the authority to adopt the laws, ordinances, liens, charters and procedures applicable to the municipality or district that is rendering the tax service; amending Section 2a and validating thereby all ordinances, resolutions and acts adopted, performed or rendered by any municipality or district and its officials under the terms and provisions and authority of Chapter 351,

Acts of the 49th Legislature, 1945, as amended; and declaring an emergency."

S. B. No. 369, A bill to be entitled "An Act to require the filing of records containing certain information by those who conduct public opinion polls regarding candidates or prospective candidates for political office, when the results of such polls are published; providing penalties for violations; setting venue for prosecutions; providing a cause of action for any person if a polling organization maliciously publishes or submits for publication any erroneous statement or set of figures with the intent to diminish such person's chances or expectations for election to political office; providing for severability; providing a saving clause; repealing all laws in conflict; and declaring an emergency."

(With amendments)

S. B. No. 341, A bill to be entitled "An Act regulating the manner of taking fish from the waters of Espiritu Santo Bay, and in those portions of San Antonio Bay South of the Intercoastal Waterway, and in Shoalwater Bay, Barroom Bay, Pata Bay, Big Bayou, Saluri Bayou, Rahal Bayou, Pringle Lake, Contee Lake, South Pass Lake, Long Lake, and in Power Lake in Calhoun County; prohibiting the use of certain devices and providing a penalty for violation; repealing conflicting laws; providing for severability; and declaring an emergency."

(With amendments.)

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk House of Representatives

#### Senate Bill 522 With House Amendments

Senator Parkhouse called S. B. No. 522 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Parkhouse moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Parkhouse, chairman, Calhoun, Ratliff, Reagan and Herring.

#### Senate Bill 523 With House Amendments

Senator Parkhouse called S. B. No. 523 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Parkhouse moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Parkhouse, chairman, Calhoun, Ratliff, Reagan and Herring.

#### Senate Bill 525 on First Reading

By unanimous consent the following local bill was introduced and read first time and referred to the committee indicated:

By Senator Hall:

S. B. No. 525, A bill to be entitled "An Act relating to and fixing minimum and maximum salaries of the official shorthand reporter for the 59th Judicial District of Texas; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

#### House Bill 908 on Second Reading

On motion of Senator Krueger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 908, A bill to be entitled "An Act providing for supplementary compensation of District Attorney of

the 30th Judicial District, etc., and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 908 on Third Reading

Senator Krueger moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 908 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—24

Aikin	Krueger
Bates	Owen
Blanchard	Parkhouse
Calhoun	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Hall	Schwartz
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

#### Absent

Cole	Moffett
Dies	Moore
Hardeman	Ratliff
Hazlewood	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 1071 on Second Reading

On motion of Senator Krueger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1071, A bill to be entitled "An Act to amend Sections 3, 4, 5, and 6 of Chapter 343, Acts of the 57th Legislature, Regular Session, 1961 (compiled as Sections 3, 4, 5, and 6 of Article 4494q-5, Vernon's Civil Statutes of Texas), relating to the Wichita County Hospital District; and declaring an emergency."

The bill was read the second time.

Senator Krueger offered the following committee amendment to the bill:

Amend House Bill No. 1071 as follows:

1. Strike out all of paragraph (f) in quoted Section 4 of Section 2 of the bill.

2. Strike out all of paragraph (a) in quoted Section 4 of Section 2 of the bill, and substitute in lieu thereof the following:

"(a) In the first even-numbered calendar year after the creation of the District, there shall be elected one Director from each County Commissioners Precinct in Wichita County, which places shall carry the same number as the Precinct, and three (3) Directors from the District at large, which positions shall be designated as Place 5, Place 6 and Place 7. Only qualified electors residing in each County Commissioners Precinct shall be eligible to vote for the Director to be elected from that Precinct. All qualified electors residing in the County shall be eligible to vote for the three (3) Directors to be elected from Place 5, Place 6 and Place 7. The term of office of each Director shall be two years, beginning on the first day of January following his election."

The committee amendment was adopted.

On motion of Senator Krueger and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 1071 on Third Reading

Senator Krueger moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 1071 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—25

Aikin	Herring
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Hall	Patman
Harrington	Reagan

Richter  
Rogers  
Schwartz  
Spears

Strong  
Watson  
Word

**Absent**

Cole  
Dies  
Hardeman

Hazlewood  
Moffett  
Ratliff

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**House Bill 303 on Second Reading**

On motion of Senator Krueger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 303, A bill to be entitled "An Act relating to detachment of territory from certain independent school districts, etc., and declaring an emergency."

The bill was read second time and passed to third reading.

**House Bill 303 on Third Reading**

Senator Krueger moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 303 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Moore
Bates	Owen
Blanchard	Parkhouse
Calhoun	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Hall	Schwartz
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

**Absent**

Cole	Hazlewood
Dies	Moffett
Hardeman	Ratliff

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**House Bill 476 on Second Reading**

On motion of Senator Crump and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 476, A bill to be entitled "An Act providing that the Attorney General shall not accept or use any money offered by any person, firm, partnership, corporation or association for the purpose of investigating or prosecuting any matter whatsoever; and declaring an emergency."

The bill was read second time and passed to third reading.

**House Bill 476 on Third Reading**

Senator Crump moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 476 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—24**

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Hall	Schwartz
Harrington	Strong
Herring	Watson
Kazen	Word

**Absent**

Dies	Owen
Hardeman	Ratliff
Hazlewood	Spears
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**House Joint Resolution 80 on  
Second Reading**

On motion of Senator Blanchard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. J. R. No. 80, Proposing an amendment to Section 26, Article IV of the Constitution of the State of Texas, to provide that the term of office for Notaries Public shall be four (4) years from the date of appointment.

The resolution was read second time and passed to third reading.

**House Joint Resolution 80 on  
Third Reading**

Senator Blanchard moved that the Constitutional Rule and Senate Rules 32 and 42 requiring resolutions to be read on three several days be suspended and that H. J. R. No. 80 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—26**

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

**Nays—3**

Calhoun	Owen
Hardeman	

**Absent**

Crump	Ratliff
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(Senator Reagan in the Chair.)

The Presiding Officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time.

Senator Blanchard by unanimous

consent withdrew further consideration of the resolution.

Question—Shall H. J. R. No. 80 be finally passed?

**House Bill 1086 on Second Reading**

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1086, A bill to be entitled "An Act authorizing certain State agencies to lease land and buildings in El Paso County, etc., and declaring an emergency."

The bill was read second time and passed to third reading.

(President in the Chair.)

**House Bill 1086 on Third Reading**

Senator Owen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 1086 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—29**

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Kazen	Word
Kennard	

**Nays—2**

Herring	Krueger
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—29**

Aikin	Bates
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Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Kazen	Watson
Kennard	Word
Moffett	

Nays—2

Herring Krueger

#### Conference Committee Report on Senate Bill 231

Senator Moore submitted the following Conference Committee report on S. B. No. 231:

Austin, Texas,  
May 23, 1963.

Hon. Preston Smith, President of the Senate.

Hon. Byron Tunnell, Speaker of the House of Representatives.

Sir: We, your Conference Committee appointed to adjust the differences between the House and Senate on Senate Bill No. 231, have adjusted our differences and beg leave to recommend that Senate Bill No. 231 be passed in the form attached hereto.

Respectfully submitted,

MOORE  
HERRING  
KRUEGER  
CRUMP

On the part of the Senate.

HAINES  
COUGHRAN  
SCHILLER  
ATWELL  
CANALES

On the part of the House.

S. B. No. 231,

#### A BILL

To Be Entitled

An Act providing for additional compensation to the judge of the 85th Judicial District in addition to the compensation paid by the state; providing that the additional compensation shall be paid by the commissioners court of Brazos County; providing for additional compensation to the judge of the 13th

Judicial District in addition to the compensation paid by the state; providing that the additional compensation shall be paid by the commissioners court of Navarro County; and declaring an emergency.

#### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. In addition to the compensation provided by law and paid by the state, the commissioners court of Brazos County shall pay the district judge of the 85th Judicial District Four Thousand Dollars (\$4,000) per annum for performing the duties of judge of the juvenile court.

Sec. 2. In addition to the compensation provided by law and paid by the state, the commissioners court of Navarro County shall pay the district judge of the 13th Judicial District Four Thousand Dollars (\$4,000) per annum for performing the duties of judge of the juvenile court.

Sec. 3. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee report was read and was adopted.

#### Reports of Standing Committees

Senator Creighton by unanimous consent submitted the following report:

Austin, Texas,  
May 23, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 525, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Vice-Chairman.

Senator Hardeman by unanimous consent submitted the following reports:

Austin, Texas,  
May 23, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 81, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
May 23, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 82, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

**House Concurrent Resolution 81  
Ordered Not Printed**

On motion of Senator Cole and by unanimous consent H. C. R. No. 81 was ordered not printed.

**House Concurrent Resolution 82  
Ordered Not Printed**

On motion of Senator Cole and by unanimous consent H. C. R. No. 82 was ordered not printed.

**Senate Bill 525 Ordered Not Printed**

On motion of Senator Hall and by unanimous consent S. B. No. 525 was ordered not printed.

**Senate Bill 129 With  
House Amendments**

Senator Calhoun called S. B. No. 129 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Calhoun moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—31

Aikin	Cole
Bates	Colson
Blanchard	Creighton
Calhoun	Crump

Dies	Parkhouse
Hall	Patman
Hardeman	Ratliff
Harrington	Reagan
Hazlewood	Richter
Herring	Rogers
Kazen	Schwartz
Kennard	Spears
Krueger	Strong
Moffett	Watson
Moore	Word
Owen	

**House Bill 552 on Second Reading**

On motion of Senator Hazlewood and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 552, A bill to be entitled "An Act relating to permits for drug stores and distributors, by the State Board of Pharmacy, etc., and declaring an emergency."

The bill was read second time and passed to third reading.

**Record of Votes**

Senator Patman asked to be recorded as voting "Nay" on the passage of H. B. No. 552 to third reading.

(President Pro Tempore in the Chair.)

**House Bill 552 on Third Reading**

Senator Hazlewood moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 552 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kennard
Bates	Krueger
Calhoun	Moffett
Cole	Moore
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Strong
Herring	Watson
Kazen	Word



## Nays—3

Hardeman                  Patman  
Owen

## Absent

Blanchard                  Spears

The President Pro Tempore then laid the bill before the Senate on its third and final passage.

The bill was read third time and was passed.

## Record of Votes

Senators Patman, Owen and Hardeman asked to be recorded as voting "Nay" on the final passage of H. B. No. 552.

## Senate Resolution 612

Senator Harrington offered the following resolution:

Whereas, The Southern Pacific Company presently operates its passenger trains Nos. 5 and 6 between Houston, Texas, and New Orleans, La., and said company has given notice under Section 13a(1) of the Interstate Commerce Act of their desire to discontinue said passenger trains, effective May 15, 1963, and

Whereas, The Interstate Commerce Commission issued an order on April 29, 1963, that an investigation of the proposed discontinuance of train service be instituted. It was further ordered that train service be continued pending such investigation and hearing, and

Whereas, We, the duly elected Representatives of the people in the districts through which these said trains travel, are concerned with this matter and have considered the effects of this discontinuance of passenger train service upon our communities and citizens, and have concluded that the proposed discontinuance will not be in the public interest since it would cause a drastic reduction in service. Such reduction will not only deprive the general public of needed passenger train service, but also tend to give disrupted or less favorable mail and express service, and

Whereas, The Senate of the Fifty-eighth Legislature of the State of Texas, has considered the effects on the communities and citizens in the event these said trains are discontinued; now, therefore, be it

Resolved, That the Senate go on record as being opposed to the discontinuance of Southern Pacific Company's passenger trains Nos. 5 and 6 between Houston, Texas, and New Orleans, Louisiana.

The resolution was read and was adopted.

## Senate Bill 153 With House Amendments

Senator Herring called S. B. No. 153 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Herring moved that the Senate concur in the House amendments.

The motion prevailed.

## Senate Bill 369 With House Amendments

Senator Moore called S. B. No. 369 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Moore moved that the Senate concur in the House amendments.

The motion prevailed.

## Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the concurrence in the House amendments to S. B. No. 369.

## House Bill 886 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 886, A bill to be entitled "An Act amending Section 105 of Chapter 421, Acts of the 50th Legislature, 1947, (compiled as Section 105 of Article 6701d, Vernon's Civil Statutes) to vest sole and complete authority and responsibility in the

Texas Education Agency to adopt and enforce regulations governing all school buses for transportation of school children; etc.; an declaring an emergency."

The bill was read the second time.

Senator Schwartz offered the following amendment to the bill:

Amend H. B. No. 886 by striking out all below the enacting clause and inserting in lieu therefor the following:

"Section 1. Section 105 of Chapter 421, Acts of the 50th Legislature, 1947, as amended by Section 2 of Chapter 280, Acts of the 53rd Legislature, 1953, (compiled as Section 105 of Article 6701d, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 105 (a) The Texas Education Agency and the State Board of Control, by and with the advice of the Director of the Department of Public Safety, shall have joint and complete responsibility to adopt and enforce regulations governing the design, color, lighting and other equipment, construction, and operation of all school buses for the transportation of school children when owned and operated by any school district or privately owned and operated under contract with any school district in this state and such regulations shall by reference be made a part of any such contract with a school district. The State Board of Control shall coordinate and correlate all specification data, finalize and issue the specifications so adopted as provided for by Section 10, Chapter 304, Acts of the 55th Legislature, 1957, (codified as Article 664-3, Vernon's Texas Civil Statutes.) In the promulgation of such regulations, emphasis shall be placed on safety features and long range maintenance free factors; provided, however, all school buses shall be purchased on competitive bids as provided by Article 634(b), Vernon's Texas Civil Statutes. Every school district its officers and employees, and every person employed under contract by a school district shall be subject to said regulations. The State Board of Control shall purchase equipment to conform to these standards (as prescribed by the above mentioned body).

"(b) It shall be unlawful to operate any flashing warning signal light

on any school bus except when any said school bus is being stopped or is stopped on a highway for the purpose of permitting school children to board or alight from said school bus."

"Sec. 2. All laws or parts of laws in conflict with the provisions of this Act are repealed to the extent of such conflict only.

"Sec. 3. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

On motion of Senator Schwartz and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 886 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 886 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Spears
Kazen	Strong
Kennard	Word

#### Nays—3

Hardeman	Watson
Owen	

#### Absent

Bates	Creighton
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Votes

Senators Hardeman, Aikin, Owen, Reagan and Blanchard asked to be recorded as voting "Nay" on the final passage of H. B. No. 886.

#### Committee Substitute House Bill 67 on Second Reading

The President laid before the Senate as pending business C. S. H. B. No. 67 (the bill having been read the second time on yesterday.)

Question—Shall C. S. H. B. No. 67 be passed to third reading?

Senator Blanchard offered the following amendment to the bill:

Amend the Committee Substitute for House Bill 67 by striking all of Section 1(a) and inserting in lieu thereof the following:

Sec. 1(a). The governing body of any city of more than ten thousand (10,000) inhabitants, according to the last preceding Federal census, may authorize a program whereby any fireman and policeman may authorize and consent in writing that deductions be made from his monthly salary or wage payment. Such written consent shall so designate and direct the city treasurer or comptroller to transfer such withheld funds to the appointed bona fide employee's association in payment of his membership dues; provided however that unless such voluntary program, or the authority therefor, is instituted by the governing board of such city of its own initiative, no authority for such program shall exist.

BLANCHARD  
WATSON

The amendment was read.

Senator Word offered the following amendment to the pending amendment:

Amend the Blanchard amendment by adding the following sentence after the period on line 14 and adding the following provision: "No action taken hereunder by any city may be construed as a recognition of any employee association."

The amendment to the pending amendment was adopted.

The amendment by Senator Blanchard as amended was then adopted.

On motion of Senator Watson and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### Record of Votes

Senator Parkhouse, Krueger and Hall asked to be recorded as voting "Nay" on the passage of H. B. No. 67 to third reading.

#### Motion to Place Committee Substitute House Bill 67 on Third Reading

Senator Watson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 67 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

#### Yeas—21

Aikin	Owen
Blanchard	Patman
Cole	Ratliff
Crump	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Moore	

#### Nays—9

Calhoun	Krueger
Colson	Moffett
Creighton	Parkhouse
Dies	Reagan
Hall	

#### Absent

Bates

(Senator Hardeman in the Chair.)

#### Senate Bill 220 With House Amendments

Senator Herring called S. B. No. 220 from the President's table for

consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Herring moved that the Senate concur in the House amendments.

The motion prevailed.

(President in the Chair.)

#### House Bill 370 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 370, A bill to be entitled "An Act creating three additional District Courts and two additional Criminal District Courts in Dallas County, Texas, such Courts to be known as the 162nd Judicial District, the 163rd Judicial District, the 164th Judicial District, the Criminal Judicial District Number 4 and the Criminal Judicial District Number 5 of Dallas County, Texas, each of such districts to be composed of Dallas County, Texas alone; etc., and declaring an emergency."

The bill was read the second time.

Senator Herring offered the following amendment to the bill:

Amend House Bill 370 by adding a new section to be known as Sec. 4(a) reading as follows:

"Sec. 4(a). Travis County.

"(A) There is hereby created the 176th Judicial District to be composed of and to have its boundaries co-extensive with the boundaries of Travis County, Texas; and there is also hereby created the 176th Judicial District Court of Travis County, Texas.

"(B) The 176th Judicial District Court of Travis County, Texas, shall have jurisdiction over all matters, both civil and criminal, of which jurisdiction is given or shall be given by the Constitution and Laws of Texas to district courts.

"(C) The terms of the 176th Judicial District Court of Travis County, Texas, shall begin on the first

Monday in March and the first Monday in September of each year and each term of said Court shall continue until the convening of the next succeeding term.

"(D) Upon the effective date of this Act, the Governor shall appoint a suitable person as Judge of said Court herein created, who shall hold office until the next General Election and until his successor has been duly elected and qualified. At the next General Election after the creation of said District Court, a Judge of said Court shall be elected for a term of four years and until his successor shall have been duly elected and qualified. The Judge of said Court shall have the qualifications provided by the Constitution and the Laws of this State for district judges, and shall draw the same compensation that is provided by the Laws of the State for the other District Judges of Travis County, Texas.

"(E). The Judge of said District Court shall have the right to select jury commissioners and empanel grand juries and may order both grand and petit juries to be drawn for such terms of his court as in his judgment is necessary, by an order entered in the minutes of said court.

"(F). The Judge of said District Court is authorized to appoint an official Court Reporter for said Court who shall have the qualifications and receive the same compensation as are now, or may hereafter be, fixed by law for court reporters in district courts.

"(G). The Sheriff, District Attorney, County Attorney, and the Clerk of the District Courts of Travis County, as heretofore provided for by law, shall be the Sheriff, District Attorney, County Attorney, and Clerk, respectively, of the 176th Judicial District Court herein created under the same rules and regulations as are now or may hereafter be prescribed by law for sheriffs, district attorneys, county attorneys, and clerks of the district courts of the State; and said Sheriff, District Attorney, County Attorney, and Clerk shall respectively receive such compensation, as is now or may hereafter be prescribed by law for such officers in the district courts of this State to be paid in the same manner.

"(H). The judge of said Court may in his discretion, either on motion of any party or on agreement of the parties or on his own motion transfer

any cause, civil or criminal, on his docket to the docket of one of the other District Courts of Travis County, Texas, and any of the Judges of the other District Courts in Travis County, Texas, may, in his discretion, either on motion of any party or on agreement of the parties or on his own motion, transfer any cause, civil or criminal, on his docket, to the docket of said 176th Judicial District Court of Travis County, Texas, and the Judge of any of the District Courts of Travis County, Texas, may, in his discretion, exchange benches with any other District Judge in Travis County, Texas, from time to time; and whenever a judge of any of said district courts is disqualified, he shall transfer the case from his court to one of the other district courts in said county and any of the Judges of the District Courts of Travis County may in his own courtroom try and determine any case or proceeding pending in any of the other District Courts of Travis County, without having the case transferred or may sit in any of the other of said courts and there hear and determine any case there pending and each judgment and order shall be entered in the minutes of the court in which the case is pending, and two or more judges may try different cases in the same court at the same time and each may occupy his own courtroom or the room of any other court. In case of absence, sickness, or disqualification of any of said District Judges of Travis County, any other of said judges may hold court for him. Any of said judges may hear any part of any case or proceeding pending in any of said courts and determine the same or may hear or determine any question in any case and any other of said judges may complete the hearing and render judgment in the case. Any of said judges may hear and determine exceptions, motions, petitions for injunction, applications for appointment of receivers, interventions, pleas of privilege, pleas in abatement, and all dilatory pleas, motions for new trial and all preliminary matters, questions, and proceedings, and may enter judgment or order thereon in the court in which the case is pending, without having the case transferred to the court of the judge acting and the judge in whose court the case is pending may thereafter proceed to hear, complete, and de-

termine the case or other matter or any part thereof and render final judgment thereon. Any of the judges of said courts may issue restraining orders and injunctions returnable to any of the other judges of courts.

"(I). The effective date of this Act shall be September 1, 1963."

The amendment was adopted.

#### Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the adoption of the above amendment.

On motion of Senator Herring and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### Record of Votes

Senators Krueger, Blanchard, Crump, Aikin, Hazlewood, Rogers and Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 370 to third reading.

#### House Bill 370 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 20 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—24

Bates	Moffett
Blanchard	Owen
Calhoun	Parkhouse
Cole	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word

#### Nays—5

Aikin	Krueger
Colson	Rogers
Creighton	

#### Absent

Kennard	Moore
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Votes

Senators Krueger, Watson, Richter, Blanchard, Hazlewood, Schwartz, Aikin, Dies, Hardeman, Owen, Crump, Colson and Rogers asked to be recorded as voting "Nay" on the final passage of H. B. No. 370.

#### Report of Standing Committee

Senator Hardeman by unanimous consent submitted the following report:

Austin, Texas,  
May 23, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 91, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

#### Motion to Place House Bill 20 on Second Reading

Senator Owen asked unanimous consent to suspend the regular order of business and take up H. B. No. 20 for consideration at this time.

There was objection.

Senator Owen then moved to suspend the regular order of business and take up H. B. No. 20 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

#### Yeas—16

Aikin	Moffett
Bates	Owen
Cole	Patman
Crump	Ratliff
Hall	Reagan
Hardeman	Schwartz
Harrington	Spears
Kennard	Watson

#### Nays—14

Blanchard	Colson
Calhoun	Creighton

Dies	Parkhouse
Hazlewood	Richter
Herring	Rogers
Krueger	Strong
Moore	Word

Absent

Kazen

#### House Bill 395 on Third Reading

Senator Spears asked unanimous consent to suspend the regular order of business and take up H. B. No. 395 for consideration at this time.

There was objection.

Senator Spears then moved to suspend the regular order of business and take up H. B. No. 395 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—23

Aikin	Moore
Bates	Patman
Blanchard	Ratliff
Cole	Reagan
Colson	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

#### Nays—6

Calhoun	Hardeman
Creighton	Hazlewood
Crump	Parkhouse

Absent

Moffett Owen

The President laid before the Senate on its third reading and final passage:

H. B. No. 395, A bill to be entitled "An Act providing that no state agency or political subdivision of the State of Texas or any individual, firm, association, partnership or corporation doing business in the State of Texas shall deny employment to any person or shall discharge from employment any person solely because of age, providing such person is between the ages of eighteen (18) and sixty-five (65); provided pen-

alties, providing severability; and declaring an emergency."

The bill was read third time and was passed.

(President Pro Tempore in the Chair.)

#### Record of Votes

Senators Parkhouse, Crump, Calhoun, Hardeman, Reagan and Hazlewood asked to be recorded as voting "Nay" on the final passage of H. B. No. 395.

(President in the Chair.)

#### House Bill 203 on Third Reading

Senator Krueger asked unanimous consent to suspend the regular order of business and take up H. B. No. 203 for consideration at this time.

There was objection.

Senator Krueger then moved to suspend the regular order of business and take up H. B. No. 203 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—21

Aikin	Moffett
Blanchard	Owen
Calhoun	Parkhouse
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Spears
Hazlewood	Strong
Kennard	Word
Krueger	

#### Nays—10

Bates	Kazen
Cole	Moore
Dies	Patman
Harrington	Schwartz
Herring	Watson

The President laid before the Senate on its third reading and final passage:

H. B. No. 203, A bill to be entitled "An Act to amend the subject matter of the Texas Unemployment Compensation Act, as amended, Chapter 482, Acts of the 44th Legislature, Third Called Session, 1936, as amended, and as embraced in Section 5, providing

for disqualification for benefits by adding a new subsection to be known as (g) providing that an individual shall be disqualified for benefits for any benefit period with respect to which he is receiving or has received or is eligible to receive remuneration in the form of old age benefits under Title II of the Social Security Act, as amended, or similar payments under any Act of Congress, or a State Legislature; etc., and declaring an emergency."

The bill was read third time and was finally passed.

#### Record of Votes

Senators Schwartz, Dies, Bates, Harrington, Kazen, Patman and Cole asked to be recorded as voting "Nay" on the final passage of H. B. No. 203.

#### House Bill 173 on Second Reading

On motion of Senator Blanchard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 173, A bill to be entitled "An Act prohibiting the State Board of Education from adopting any policy rule, regulation or other plan, as a prerequisite for accreditation or other approval, which would require any School District to hire or assign any guidance counselor or supervisor or require such as a part time duty of any superintendent, principal or teacher."

The bill was read second time and passed to third reading.

#### House Bill 173 on Third Reading

Senator Blanchard moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 173 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—30

Aikin	Colson
Bates	Creighton
Blanchard	Crump
Calhoun	Dies
Cole	Hall

Hardeman	Patman
Harrington	Ratliff
Hazlewood	Reagan
Kazen	Richter
Kennard	Rogers
Krueger	Schwartz
Moffett	Spears
Moore	Strong
Owen	Watson
Parkhouse	Word

**Nays—1****Herring**

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

**Senate Bill 341 With House Amendments**

Senator Patman called S. B. No. 341 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Patman moved that the Senate concur in the House amendments.

The motion prevailed.

**House Concurrent Resolution 91 Ordered Not Printed**

On motion of Senator Hardeman and by unanimous consent H. C. R. No. 91 was ordered not printed.

**Motion to Not Print House Bill 1018**

Senator Kennard asked unanimous consent that H. B. No. 1018 be ordered not printed.

Senator Calhoun raised the point of order that there was a tag on the bill which requested that a public hearing be held before the bill could be reported out of committee.

The President sustained the point of order stating that the tag was still on the bill.

**House Bill 1018 Recommitted**

On motion of Senator Moore and by unanimous consent H. B. No. 1018 was recommitted to the Committee on Military and Veterans Affairs.

**Motion to Place House Joint Resolution 27 on Second Reading**

Senator Blanchard asked unanimous consent to suspend the regular order of business and take up H. J. R. No. 27 for consideration at this time.

There was objection.

Senator Blanchard then moved to suspend the regular order of business and take up H. J. R. No. 27 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

**Yeas—15**

Aikin	Patman
Bates	Ratliff
Blanchard	Reagan
Cole	Richter
Hall	Rogers
Herring	Spears
Kennard	Word
Moore	

**Nays—15**

Calhoun	Kazen
Colson	Krueger
Creighton	Owen
Crump	Parkhouse
Dies	Schwartz
Hardeman	Strong
Harrington	Watson
Hazlewood	

**Absent**

Moffett

**Bills Signed**

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills:

H. B. No. 573, A bill to be entitled "An Act declaring noxious certain aquatic plants in that portion of Caddo Lake situated in Harrison and Marion Counties; authorizing the Commissioner of the General Land Office to execute exclusive contracts for removal of noxious aquatic plants; prescribing contract requirements; passing title to noxious aquatic plants to contractor when removed pursuant to contract; establishing venue; containing a severability; and declaring an emergency."

H. B. No. 854, A bill to be entitled



"An Act amending Article 1287-1, Vernon's Annotated Civil Statutes of Texas, Acts 1937, 45th Legislature, Page 926, Chapter 443; Acts 1937, 45th Legislature, First Called Session, Page 1776, Chapter 16, Sec. 1, last amended by Senate Bill No. 308, Acts 1957, 55th Legislature, Page 745, Chapter 306, Sec. 2; amending Article 1287-2, Vernon's Annotated Civil Statutes of Texas, Acts 1937, 45th Legislature, First Called Session, Page 1766, Chapter 16, Sec. 3; increasing the amount of the bonds required for a license to operate under said Act as a dealer; etc., and declaring an emergency."

#### Recess

On motion of Senator Hardeman the Senate at 4:57 o'clock p.m. took recess until 9:00 o'clock p.m. today.

#### After Recess

The President called the Senate to order at 9:00 o'clock p.m. today.

#### Leave of Absence

Senator Ratliff was granted leave of absence for the remainder of today on account of important business on motion of Senator Hardeman.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. B. No. 309, A bill to be entitled "An Act making it unlawful to wilfully import or convey or to wilfully cause to be imported or conveyed false information concerning the presence of a bomb or other explosive or incendiary device in any public or private building or house or any portion thereof; prescribing the punishment; and declaring an emergency."

H. B. No. 493, A bill to be entitled "An Act making it unlawful except under the provisions of this Act, for any person to hunt, take, kill or attempt to kill, or possess, any game bird or game animal in Guadalupe and Nacogdoches Counties at any time, etc., and declaring an emergency."

H. B. No. 500, A bill to be entitled "An Act authorizing and directing

the Board of Regents of the University of Texas to establish a graduate school of biomedical sciences in Houston, Harris County, Texas, to be known as the University of Texas Graduate School of Biomedical Sciences, and to be operated as a component unit of The University of Texas system, etc., and declaring an emergency."

H. B. No. 516, A bill to be entitled "An Act abolishing the office of County Attorney of Upshur County and creating the office of Criminal District Attorney of Upshur County, etc., and declaring an emergency."

H. B. No. 514, A bill to be entitled "An Act amending Article 1551 of the Penal Code of the State of Texas, relating to the offense of obtaining board or lodging by means of trick or deception or false or fraudulent representations and refusal to pay therefor, to increase the penalty to felony grade; etc., and declaring an emergency."

H. B. No. 537, A bill to be entitled "An Act relating to per diem for members of the Board of Vocational Nurse Examiners; amending Article 4528c, Section 4 (d) so as to authorize per diem for each member of the Board in the amount of Twenty Dollars (\$20.00) for each day of attendance; containing an emergency clause."

H. B. No. 601, A bill to be entitled "An Act amending Section 21.14 of Chapter 491, Acts of the 52nd Legislature, Regular Session, 1951 (codified as Article 21.14, Insurance Code, Vernon's Texas Civil Statutes), by adding a new Section 3a to provide that a surviving spouse may become a non-active partner in a licensed insurance business as provided for in the Texas Uniform Partnership Act; and declaring an emergency."

H. B. No. 680, A bill to be entitled "An Act authorizing independent school districts to borrow money for current maintenance expenses; providing for the method of evidencing such loans by the issuance of negotiable notes; prescribing the conditions under which such notes may be issued; enacting other provisions related to the subject; providing that this Act is cumulative of Article 2827 V. A. R. C. S. of Texas; and declaring an emergency."

H. B. No. 668, A bill to be entitled "An Act to amend H. B. No. 8, Acts of 1941, Forty-seventh Legislature, ch. 184, Art. XV, sec. 1, p. 269, as amended by S. B. No. 141, Acts of 1947, Fiftieth Legislature, ch. 238, sec. 1, p. 432, as amended by H. B. No. 3, Acts of 1950, Fifty-first Legislature, 1st C. S., ch. 2, Art. XIV, sec. 1, p. 10, as amended by H. B. No. 285, Acts of 1951, Fifty-second Legislature, ch. 402, Section XVII, p. 695, as amended by H. B. No. 11, Acts 1959, Fifty-sixth Legislature, 3rd C. S., ch. 1, 'Taxation—General,' Art. 16.01, p. 187; to equalize the rate of taxation of transfer of shares of stock without designated monetary value; and declaring an emergency."

H. B. No. 672, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 75th Judicial District of Texas; providing for severability; and declaring an emergency."

H. B. No. 747, A bill to be entitled "An Act amending Section 3 under Section 1 of Chapter 316, Acts of the Forty-fourth Legislature, Regular Session, 1935, as amended by Chapter 140, Acts of the Forty-ninth Legislature, Regular Session, 1945, and Chapter 222, Acts of the Fifty-third Legislature, Regular Session, 1953 (codified as Section 3 of Article 3899b, Vernon's Texas Civil Statutes), to allow the commissioners court of the county to increase the allowance for the use of personally owned automobiles of the County Tax Assessor and Collector and his deputies, enacting other provisions related to the subject, and declaring an emergency."

H. B. No. 766, A bill to be entitled "An Act providing for the salary and payment thereof of the official shorthand reporter of the 88th Judicial District of Texas; and declaring an emergency."

H. B. No. 779, A bill to be entitled "An Act repealing Chapter 49, Acts of the 44th Legislature, Regular Session, Spec. Laws 1935, which prohibit oyster dredging in the Head Waters of Matagorda Bay; and declaring an emergency."

H. B. No. 738, A bill to be entitled "An Act establishing, authorizing,

and providing for the 'County Industrial Training School District' located in any county in this state having a population of not less than one hundred thousand (100,000) nor more than two hundred thousand (200,000) according to the last preceding federal census, so as to provide vocational training for residents and non-residents of such county; etc., and declaring an emergency."

H. B. No. 729, A bill to be entitled "An Act providing for employment of one juvenile officer to serve any or all counties within the 69th Judicial District, and establishing means for fixing and paying the salary and expenses of such juvenile officer; providing that any school district, city or town within the 69th Judicial District may participate in using the services of such juvenile officer by meeting certain conditions; and declaring an emergency."

H. B. No. 811, A bill to be entitled "An Act to authorize and require the appointment of an official shorthand reporter of the 100th Judicial District of Texas; fixing maximum and minimum salary to be paid in addition to compensation for transcripts, statements of facts and other fees; and fixing allowance for travel and hotel expense; providing the time, method and manner of payment; repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

H. B. No. 878, A bill to be entitled "An Act relating to the appointment, qualifications, duties and compensation of official shorthand reporters for the District Courts of the 117th, 94th, 28th and 105th Judicial Districts of Texas, and for County Court at Law No. 1 and County Court at Law No. 2 of Nueces County, Texas, fixing maximum salaries to be paid, in addition to compensation for transcripts, statements of facts and other fees, repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

H. B. No. 939, A bill to be entitled "An Act providing for the compensation of the official shorthand reporters of the 9th Judicial District of Texas; providing for the manner of payment; and declaring an emergency."

H. B. No. 987, A bill to be entitled "An Act amending Section 66 of

Chapter 27, Acts of the 42nd Legislature, Third Called Session, 1932, (compiled as Section 66 of Article 8263e of Vernon's Texas Civil Statutes), so as to make the requirements governing advertising for bids by navigation districts coming within the purview of the Act conform with the requirements governing advertising for bids by counties and cities of this State; and declaring an emergency."

H. B. No. 1060, A bill to be entitled "An Act making it unlawful to hunt Axis deer in LaSalle County; providing that this Act shall terminate on January 1, 1965, and shall be of no further force or effect thereafter; suspending all laws in conflict with this Act during the operation of this Act; and declaring an emergency."

H. B. No. 1027, A bill to be entitled "An Act authorizing the commissioners court of Jim Hogg County to supplement the salary of the District Judge of the 49th Judicial District of Texas, making other provisions relating thereto, and declaring an emergency."

H. C. R. No. 33, Granting permission to Lon Ed Sowell to sue the State of Texas and the Texas Department of Corrections.

H. C. R. No. 48, Granting permission to Elgean Shield to bring suit against the State of Texas and the Adjutant General of the State of Texas.

H. C. R. No. 64, Granting permission to Tectonic Oil, Inc., to sue the State of Texas, the Land Commissioner of the State of Texas and the members of the School Land Board of the State of Texas in their respective official capacities.

H. C. R. No. 83, Granting permission to Jessie Herring Johnson, Les K. Johnson and Armstrong Transfer and Storage Co., Inc., to sue the State of Texas and the State Highway Department.

H. C. R. No. 50, Authorizing and directing the State Board of Control to accept for and on behalf of the State of Texas, the transfer from the General Services Administration of the United States Government of approximately one hundred forty-two (142) acres of land adjacent to the De Zavala Cemetery and burial plot

of Lorenzo De Zavala to be retained by the State as a monument site and a protective area.

#### Senate Resolution 615

Senator Hardeman offered the following resolution:

Be it Resolved, By the Senate of Texas that the House of Representatives be requested to return H. B. 1075 which was passed by the Senate on May 21, 1963 as reflected by the Senate Journal of said date, for further consideration.

The resolution was read and adopted.

#### Message from the House

Hall of the House of Representatives  
Austin, Texas  
May 23, 1963

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 523.

House has appointed the following Conferees:

Atwell, Hughes, Johnson, Bob Houston, Ball.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 522.

House has appointed the following Conferees:

Atwell, Hughes, Johnson, Bob Houston, Ball.

The House reconsidered the vote by which the House concurred in Senate Amendment to H. B. No. 109.

The House has concurred in Senate amendments to House Bill No. 109 by vote of 141 ayes, 5 noes.

The House has adopted the Conference Committee Report on Senate Bill No. 318 by a vote of 95 ayes, 55 noes.

The House has adopted the Conference Committee Report on Senate Bill No. 85 by a non-record vote.

S. C. R. No. 95, Providing effective date for H. B. No. 1075.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Resolution 616

Senator Moore offered the following resolution:

Whereas, It is well for us to pause in the rush of modern life to acknowledge faithful and efficient service, especially when such service has lasted for forty-five years; and

Whereas, Jim Jackson, following in the footsteps of his father "General" Jackson, has been a loyal and courteous employee of the Senate of Texas for over a generation; and

Whereas, Not only the present Members of the Texas Senate, but all those who served in this Body for this long period have known and appreciated the fine character of Jim Jackson and have recognized his ability by regularly re-electing him as head porter, a position of responsibility; and

Whereas, In all of this period of faithful service when it becomes necessary to stop the clock in order that the Senate may complete the State's business, this has been the sole responsibility of Jim Jackson; now therefore be it

Resolved, By the Senate of the Fifty-eighth Legislature of Texas, That Jim Jackson, a gentleman of quiet courtesy, be extended the appreciation of the Members of this Body for his contribution to the work of the Senate and a wish that he may continue to serve in the same capacity for many years.

#### MOORE

Signed—Preston Smith, Lieutenant Governor; Aikin, Bates, Blanchard, Calhoun, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Kazen, Kennard, Krueger, Moffett, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Krueger and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then adopted.

#### Motion to Place House Bill 752 on Second Reading

Senator Bates asked unanimous consent to suspend the regular order of business and take up H. B. No. 752 for consideration at this time.

There was objection.

Senator Bates then moved to suspend the regular order of business and take up H. B. No. 752 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the members present):

#### Yeas—14

Bates	Kennard
Cole	Owen
Colson	Parkhouse
Creighton	Reagan
Hall	Richter
Hardeman	Spears
Harrington	Watson

#### Nays—10

Aikin	Kazen
Blanchard	Krueger
Calhoun	Moore
Crump	Patman
Herring	Schwartz

#### Absent

Dies	Rogers
Hazlewood	Strong
Moffett	Word

#### Absent—Excused

Ratliff

#### Welcome and Congratulatory Resolutions

S. R. No. 603—By Senator Blanchard: Extending welcome to teachers and students of Senior Class of Dawson School at Welch.

S. R. No. 607—By Senator Harrington: Congratulating Commander Alfred Franklin Holzapfel for outstanding service to the State of Texas and the people of the Coast areas during two hurricanes.

S. R. No. 608—By Senator Rogers: Congratulating Jimmy Wilcoxson on his athletic feats in Childress High School.

S. R. No. 609—By Senator Rogers:

Congratulating David Hutton of Turkey High School.

S. R. No. 610—By Senator Rogers: Extending congratulations to Miss Sarah Holland of Estelline, Texas.

S. R. No. 611—By Senator Rogers: Extending congratulations to Jay Dunbar of Memphis High School.

S. R. No. 613—By Senator Herring: Extending welcome to Den Mother and Den 9, Cub Scouts Group of St. Louis School of Austin.

S. R. No. 614—By Senator Herring: Extending welcome to Den Mothers and Den 3, Cub Scouts of St. Mary's School of Taylor.

#### Memorial Resolutions

S. R. No. 593—By Senator Watson: Memorial resolution for Alvin Robert Slaughter.

S. R. No. 594—By Senator Watson: Memorial resolution for Gus J. Olson.

S. R. No. 595—By Senator Watson: Memorial resolution for C. E. Saxon.

S. R. No. 596—By Senator Watson: Memorial resolution for Mrs. J. M. Dawson.

S. R. No. 597—By Senator Watson: Memorial resolution for Mrs. Roy P. Bryan.

S. R. No. 598—By Senator Watson: Memorial resolution for Mrs. J. E. Cooke.

S. R. No. 606—By Senator Watson: Memorial resolution for Nancy Anne Nail.

#### Adjournment

Senator Hardeman moved that the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

Question on the motion to adjourn, Yeas and Nays were demanded.

The motion prevailed by the following vote:

#### Yeas—13

Aikin	Kazen
Bates	Krueger
Blanchard	Moore
Creighton	Owen
Crump	Parkhouse
Hall	Reagan
Hardeman	

#### Nays—12

Calhoun	Patman
Cole	Richter
Colson	Schwartz
Harrington	Spears
Herring	Strong
Kennard	Watson

#### Absent

Dies	Rogers
Hazlewood	Word
Moffett	

#### Absent—Excused

Ratliff

Accordingly, the Senate at 9:17 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

### SEVENTY-THIRD DAY

(Friday, May 24, 1963)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word

#### Absent—Excused

Ratliff

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Hardeman, and by unanimous consent, the reading of the journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leave of Absence

Senator Ratliff was granted leave